HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

By ADAM FERGUSON, LL. D.

PROFESSOR OF MORAL PHILOSOPHY IN THE
UNIVERSITY OF EDINBURGH.

IN THREE VOLUMES.

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TO THE

K I N G.

SIR,

THE History of the Romans, collected from the remains of antient Authors, has been often written in the different languages of Europe. But a relation worthy of the subject, simple and unambitious of ornament, containing in the parts an useful detail, and in the whole a just representation, of the military conduct and political experience of that people, appeared to me to be still wanting.

Having earnestly endeavoured to supply this defect, at least in what relates to the later times of the Republic, the intention, I hope, joined to the importance of the matter, will justify my humble desire to inscribe this Performance to your MAJESTY.

I am, with the most profound Respect,

SIR,

YOUR MAJESTY'S

Most faithful Subject, and

Most obedient humble Servant,

EDINBURGH,
February 1, 1783.

ADAM FERGUSON.

ADVERTISEMENT.

THE reader will be pleaſed to obſerve, with reſpect to the geographical names uſed in the following Hiſtory, that the Author has endeavoured to conform himſelf to common practice. This is ſo various as not to admit of any general rule. *Rome*, *Athens*, *Italy*, and *Greece* are uſed for *Roma*, *Athenæ*, *Italia*, et *Grecia*; but *France*, *Hungary*, and *Savoy*, are not uſed for *Gaul*, *Panonia*, or the *Allobroges*. Cities and races of men have changed ſo much, that we cannot employ modern names in ſpeaking of the antients, except where cuſtom abſolutely requires it. But the natural features of the earth, as rivers, ſeas, and mountains, being unchanged, are expreſſed by the modern name, except where they are better known by their antient appellations, as in the geography of Greece, Aſia, and Africa. This mixture of antient and modern language may appear exceptionable; but it is hoped that the general intention, to render the ſubject as clear as poſſible, will be an excuſe for any particular difference of opinion in the choice of names.

ERRATA.

Page 10, line 16, for *has* read *have*.
16, note, bottom of the page, for *Polecala* read *Poplicola*.
84, note *k*, for *U. C.* 325 read *U. C.* 485.
Ibid. note *l*, for *subjectos* read *subjectis*.
139, line 20, for *their* read *his*.
150, —— 15, for *them* read *him*.
202, —— 27, for *Lampascus* read *Lampsacus*.

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THE HISTORY OF THE PROGRESS AND TERMINATION OF THE ROMAN REPUBLIC.

BOOK I.

CHAP. I.

The Subject.—Supposed Origin of the Roman State.—Its Government.—The King.—Senate.—People. Curiæ.—Centuries.—Tribes.—Religion.—The Triumph.—Original Maxims.—Progress of the State under its Kings.—Change to a Republic.

BOOK I. CHAP. I.

THE Roman State was originally a small principality, and one of the many little cantons, which, under the denomination of Latins, occupied the left of the Tiber, from its confluence with the Anio to the Sea, and from Ostia to Circeii on the coast. Within this narrow tract, reaching in breadth inland no more than sixteen miles, and extending on the coast about fifty miles, the Latins are said to have formed no less than forty-seven independent states (*a*); each of whom had a separate capital or

(*a*) Dionys. Halicar. lib. iv.

BOOK I. ſtrong hold, to which they occaſionally retired for ſafety, with their cattle and other effects, and from which they made frequent wars on each other (*b*). The country, divided into ſo many ſeparate territories, we may conſider as reſembling ſome of the lately diſcovered iſlands in the Southern or Pacific Ocean (*c*), where every height is repreſented as a fortreſs, and every little townſhip, that can maintain its poſſeſſions, as a ſeparate ſtate. Among ſettlements of this deſcription, the Romans, though they were originally no way diſtinguiſhed in point of poſſeſſions or numbers, yet, in conſequence of ſome ſuperiority of inſtitution or character, they came to have a decided aſcendant.

Beyond the Tiber on the one hand, and the Liris on the other, the contiguous parts of Italy were poſſeſſed, in the ſame manner with Latium, by different races of men, who, under various denominations of Etrurians, Samnites, Campanians, and others, formed a multiplicity of little nations, united by leagues for common ſafety, and ranged under oppoſite intereſts, with a view to ſome balance of power which they endeavoured to maintain. The peninſula towards one extremity (*d*), was from time immemorial peopled with Grecian colonies. Towards the other, it was, in the firſt ages of the Roman ſtate, over-run by nations of Gauliſh extraction (*e*).

The land throughout, in reſpect to ſituation, climate, and ſoil, was highly favoured, diverſified with mountain and plain, well wooded and watered, repleniſhed with uſeful materials, fit to yield paſture for numerous herds, and to produce abundance of corn, wine, and oil. And, what is ſtill of more importance, was already become the flouriſhing nurſery of ingenious men, ardent and vigo-

(*b*) Liv. lib. i. c. 5, &c.

(*c*) See Cook's Voyage to New Zealand.

(*d*) Magna Græcia.

(*e*) Gallia Ciſalpina.

rous

tous in their purſuits, though, in reſpect to many arts and inventions, yet in a ſtate of great ſimplicity or ignorance.

The Romans, who made their firſt ſtep to dominion by becoming heads of the Latian confederacy, continued their progreſs to the ſovereignty of Italy; or, after many ſtruggles with nations poſſeſſed of reſources ſimilar to their own, united the forces of that country under their own direction, became the conquerors of many kingdoms in Aſia and Africa, as well as in Europe; and formed an empire, if not the moſt extenſive, at leaſt the moſt ſplendid of any that is known in the hiſtory of mankind. In poſſeſſion of this ſeeming advantage, however, they were unable to preſerve their own inſtitutions; they became, together with the conqueſts they had made, a prey to military government, and a ſignal example of the viciſſitudes to which proſperous nations are expoſed.

This mighty ſtate, remarkable for the ſmallneſs of its origin, as well as for the greatneſs to which it attained, has, by the ſplendor of its national exertions, by the extent of its dominion, by the wiſdom of its councils, or by its internal revolutions and reverſes of fortune, ever been a principal object of hiſtory to all the more enlightened nations of the weſtern world. To know it well, is to know mankind; and to have ſeen our ſpecies under the faireſt aſpect of great ability, integrity, and courage. There is a merit in attempting to promote the ſtudy of this ſubject, even if the effect ſhould not correſpond with the deſign.

Under this impreſſion the following narrative was undertaken, and chiefly with a view to the great revolution, by which the republican form of government was exchanged for deſpotiſm; and by which the Roman people, from being joint ſovereigns of a great empire, became, together with their own provinces, the ſubjects, and often the

 prey,

BOOK I. prey, of a tyranny which was equally cruel to both.

As in this revolution men of the greateſt abilities, poſſeſſed of every art, and furniſhed with the moſt ample reſources, were acting in concert together, or in oppoſition to each other, the ſcene is likely to exhibit what may be thought the utmoſt range or extent of the human powers; and to furniſh thoſe who are engaged in tranſactions any way ſimilar, with models by which they may profit, and from which they may form ſound principles of conduct, derived from experience, and confirmed by examples of the higheſt authority.

The event which makes the principal object of this Hiſtory, has been ſometimes conſidered as a point of ſeparation between two periods, which have been accordingly treated apart—the period of the republic, and that of the monarchy. During a conſiderable part of the firſt period, the Romans were highly diſtinguiſhed by their genius, magnanimity, and national ſpirit, and made ſuitable attainments in what are the ordinary objects of purſuit—wealth and dominion. In the ſecond period they continued for ſome time to profit by the attainments which were made in the former, and while they walked in the tract of the commonwealth, or practiſed the arts and retained the leſſons which former ages had taught, ſtill kept their poſſeſſions. But after the ſprings of political life, which were wound up in the republic, had ſome time ceaſed to act; when the ſtate was become the concern of a ſingle perſon, and the veſtige of former movements were effaced, the national character declined, and the power of a great empire became unable to preſerve what a ſmall republic had acquired. The example, whether to be ſhunned or imitated, is certainly inſtructive in either period; but moſt ſo in the tranſition that was made from one to the other; and in the forfeiture of thoſe public advantages, of which

the Roman people, in ſome part of their courſe, availed themſelves with ſo much diſtinction, and which, in the ſequel, they abuſed with ſo much diſorder at home, and oppreſſion of their ſubjects abroad.

With this object before me, I haſten to enter on the ſcenes in which it begins to appear; and ſhall not dwell upon the hiſtory of the firſt ages of Rome; nor ſtop to collect particulars relating to the origin and progreſs of the commonwealth, longer than is neceſſary to aid the reader in recollecting the circumſtances which formed the conjuncture in which this intereſting change began to take place.

For this purpoſe, indeed, a general deſcription of the ſtate and its territory, ſuch as they were in the beginning of this tranſaction, might have been ſufficient; but as it is difficult to fix the preciſe point at which cauſes begin to operate, or at which effects are complete, I have indulged myſelf in looking back to the origin of this famous republic, whether real or fabulous, and ſhall leave the reader to determine, at what time he will ſuppoſe the period of authentic hiſtory to begin, or at what time he will ſuppoſe the cauſes of this revolution to operate, and to produce their effects.

As it is impoſſible to give, in mere deſcription, a ſatisfactory account of a ſubject which is in its nature progreſſive and fluctuating, or to explain political eſtabliſhments without ſome reference to the occaſions from whence they aroſe, I have, upon theſe accounts, endeavoured to give, even to the firſt part of my labours, the form of narration; and, together with the progreſs of political inſtitutions in the ſtate, remarked its territorial acquiſitions and conqueſts, in the order in which they were made. In proportion as the principal object of the hiſtory preſents itſelf, I ſhall wiſh, as far as my talents and the materials before me allow, to fill up the

BOOK I. the narration, and give to every ſcene of the tranſaction its complete detail. When this is done, and the cataſtrophé is paſſed, I ſhall wiſh again to contract my narration; and as I open with a ſummary account of what preceded my period, cloſe with a ſimilar view of its ſequel.

The Romans are ſaid to have made their ſettlement in the end of the ſixth, or beginning of the ſeventh Olympiad (*f*), about two hundred years before the acceſſion of Cyrus to the throne of Perſia, ſeven hundred years before the Chriſtian Æra, and long before the date of any authentic profane hiſtory whatever. The detail of their ſtory is minute and circumſtantial; but on this account is the more to be ſuſpected of fiction: And in many parts, beſides that of the fable, with which it is confeſſedly mixed, may, without any blameable ſcepticiſm, be rejected as the conjecture of ingenious men, or the embelliſhments of a mere tradition, which partakes in the uncertainty of all other profane hiſtory of the ſame times, and labours under the obſcurity which hangs over the origin of all other nations (*g*).

That the Roman ſtate was originally a ſmall one, and came by degrees to its greatneſs, cannot be doubted. So much we may ſafely admit on the faith of tradition, or in this inſtance, infer, from the continuation and recent marks of a progreſs which the people were ſtill making, after they became an object of obſervation to other nations (*h*), and after they began to keep records of their own: That they had been an aſſemblage of herdſmen and warriors, ignorant of letters, of money, and of commercial arts, enured to depredation and violence, and ſubſiſting chiefly by the produce of their herds, and the ſpoils of their enemies, may be ſafely admitted; becauſe we find them, in the moſt authentic parts of

(*f*) Dionyſ. Hal. lib. i. (*g*) Liv. lib. vi. (*h*) Dionyſ. Hal. lib. i.

their hiſtory, ſupplying theſe defects, and coming forward in the ſame direction, and conſequently proceeding from the ſame origin, with other rude nations; being, in reality, a horde of ignorant barbarians, though likely to become an accompliſhed nation.

In the firſt accounts of their ſettlement, it is ſaid that they muſtered three thouſand men on foot and three hundred on horſeback (*i*). Their eſtabliſhment being effected by ſurpriſe or by force, and their people conſiſting of armed men who had every acquiſition to make at the expence of their neighbours, they were naturally in a ſtate of war with the country around them. They took poſt on the Palatium, a ſmall height on the Tiber, which, according to former traditions, had been previouſly occupied by five different races of men, who, in a country ſo precariouſly ſettled, were frequently changing their places (*k*). Their city was the firſt model of a Roman camp, fortified with a ſquare breaſt-work and ditch, to ſerve as an occaſional retreat to themſelves and their cattle. Their leader, or chief, was the ſole magiſtrate or officer, either civil or military. The members of the commonwealth were diſtinguiſhed into different claſſes or ranks, under the names of Patrician and Plebeian, Patron and Client. "The Patron," ſays Dionyſius, "was to protect, to give counſel; and, "whether preſent or abſent, was to his clients "what the father is to his family. The Clients, in "return, were to contribute to the ſupport of their "Patron, to aid him in placing his children in mar-"riage; and, in the caſe of his being taken by "an enemy, were to pay his ranſom; or of his "being condemned in a fine, were to diſcharge it "for him (*l*)."

(*i*) Liv. Lib. i. c. 4. (*k*) Dionyſ. Hal. lib. i. (*l*) Ibid. lib. ii. c. 10.

The

BOOK I.

The limits of prerogative and privilege, as in other rude ſocieties, were yet imperfectly marked. It was the prerogative of the king to lead in war, and to rule in peace; but it is probable that he no more wiſhed to deliberate, than to fight alone; and, though he may have done either occaſionally, yet numbers of his followers were ever ready to attend him in both. The people acknowledged him as their leader, or prince; but they themſelves, as in other inſtances of the ſame kind, were accuſtomed, on remarkable occaſions, to aſſemble; and, without any concerted form of democracy, became the ſovereign power, as often as their paſſions engaged them to act in a body. The ſuperior claſs of the people as naturally came to have their meetings apart, and may have aſſembled frequently, when the occaſion was not ſufficient to require the attention of the whole (*m*). Hence probably the eſtabliſhments of the ſenate and of the popular aſſemblies, which were called the *Comitia*, and were both of ſo early a date as to be aſcribed to the firſt of their kings (*n*).

Even this founder of the ſtate, we are told, was diſtinguiſhed by his uſhers or lictors carrying before him the axe and the rods, as the emblems of his power, and the inſtruments of his juſtice. The names of the ſenators were entered in a liſt, and they were ſeparately called to their meetings. Aſſemblies of the People were intimated by the ſound of a horn. The citizens were diſtinguiſhed into Curiæ, Centuries, and Tribes; diviſions under which they formed their ſeveral compartments, for military array, religious ceremonies, or political deliberations. When met to decide on any public queſtion, each diviſion apart collected the votes of its members, from thence formed a vote for the

(*m*) De minoribus rebus Principes, de majoribus omnes conſultant. Tacit. de Moribus Germ.

(*n*) Dionyſ. lib. 1.

Curia

Curia or Century; and, by the majority of these, determined the whole. The Curiæ were fraternities, or divisions of the people, which met for the performance of religious rites: each had its separate priest, and place of assembly. When the Curiæ were called on matters of state, they retained part of their religious forms; opened their meeting with observing the auspices, or signs of futurity; and if these were unfavourable, could not proceed on business. The Augurs, therefore, in this mode of assembly, had a negative on the proceedings of the People. CHAP. I.

The Centuries were formed on a more artful idea, to make power accompany wealth. The people were divided into classes, according to the rate of their fortunes: each class was divided into Centuries; but the number of Centuries in the different classes was so unequal, that those of the first or richest class made a majority of the whole; and when the Centuries of this class were unanimous, they decided the question. By this institution, the rich were masters of the legislature, though not without some compensation to the poor, as the several classes were charged with taxes and public services, in the same proportion in which they were vested with power.

The people, when thus assembled, were distinguished in their classes by their ensigns and arms, and, though called together on political affairs, were termed the army (o).

In the first ages of this principality or commonwealth, the meetings of the people were held first by Curiæ, and afterwards by Centuries. The practice of voting by Tribes was of a later date than either, and was the device of a popular party to exclude the auspices, to level the condition of ranks, and by these means to turn the channels of power

(o) Dionys. Hal. lib. iv. c. 16, 17, 18. Liv. lib. i. c. 43.

BOOK I. in their own favour. The people were formed into their Claſſes and Centuries, to elect their officers, to enact laws, or to deliberate on other affairs of ſtate; but they did not without ſtruggle or conteſt always acquieſce in this mode of aſſembly. The poorer citizens often inſiſted to be called in the Curiæ, and afterwards in the Tribes, to decide on affairs which the rich would have referred to the Centuries alone. The queſtion on theſe occaſions went to the foundation of the conſtitution, and implied a doubt whether the ſtate was to be governed by the balance of numbers, or the balance of property (*p*).

To theſe original ſprings of the political frame may be joined thoſe of religion, which in all governments muſt have a conſiderable force; and in this has always been ſuppoſed a principal power to regulate its movements. Here indeed, there being no diſtinction of clergy and laity, the authority of the ſtateſman, augur, and prieſt, was united in the ſame perſons, or in the ſame orders of men: and as, in the mind of every citizen, notwithſtanding the high meaſure of his ſuperſtition, the ſword of ſtate was preferred to the altar, the politician and

(*p*) State of the Claſſes and Centuries at the eſtabliſhment of the Cenſus:

Claſs.	Valuation. Roman.	Sterling. l.	s.	No. of Cent.	
1.	100,000	322	18	98	
2.	75,000	242	3	21	
3.	50,000	161	9	21	
4.	25,000	80	14	21	
5.	11,000	35	10	31	
6.	———	———		1	
Total	-	-	-	193	From
Firſt Claſs	-	-	-	98	Sub.
				95	
Majority of the firſt Claſs			-	3	

A property of 100,000 aſſes or pounds of copper intitled the owner to a place in the firſt Claſs, 75,000 to a place in the ſecond, 50,000 to a place in the third, 25,000 to a place in the fourth, 11,000 to a place in the fifth, and the remainder of the people, having no valuation, or having leſs than that of the fifth Claſs, were thrown into the ſixth or laſt Claſs. The whole were divided into 193 Centuries, of which the firſt Claſs contained 80 Centuries of foot, and 18 of horſemen, in all 98; being a majority of the whole. The ſixth Claſs formed no more than one Century, as appears from the inſpection of the preceding table.

warrior

warrior availed himſelf of the reſpect which was paid to the prieſt, and made ſuperſtition itſelf ſubſervient to the purpoſes of ſtate. With preſages and prodigies he encouraged or reſtrained the people in their deſires and purſuits; he bound them with vows and with oaths, to a degree that has not been equalled by mankind in any other inſtance; and, with reference to this circumſtance in particular, it has been obſerved, that the ſeeds of Roman greatneſs were laid in the implicit reſpect with which every citizen revered the firſt inſtitutions of his country (*q*).

The wants by which the Romans were impelled in the firſt ſtate of their ſettlement, made it neceſſary for them to vanquiſh ſome of their neighbours, or to periſh in the attempt. Valour, accordingly, in their eſtimation, was the principal quality of human nature, and the defeat of an enemy the chief of its fruits. Every leader who obtained a victory made his entry at Rome in proceſſion; and this gave riſe to the triumph, which continued, from the firſt to the laſt age of the commonwealth, to be the higheſt object of ambition.

Hiſtorians, admiring the effect of this and of other practices of an early date among the Romans, have repreſented their founder, and his immediate ſucceſſors, as philoſophers, ſtateſmen, and able tutors, who, with a perfect foreſight of the conſequences, ſuggeſted the maxims which gave ſo happy a turn to the minds of men in this infant republic. They are ſaid to have taught, that by frugality and valour the Romans were to conquer the world: that they ought not to lay waſte the lands which they conquered, but to poſſeſs them with colonies of their own people: that they ought not to ſlay the vanquiſhed, but tranſport their captives to Rome, as an acceſſion to the number of

(*q*) See Machiavel's Diſcourſes on Livy.

BOOK I. their own citizens: that they ought not to make war without provocation, nor to commence hostilities until they had demanded and had been refused reparation of wrongs. In whatever degree we suppose these maxims to have been expressed or understood in the councils of Rome, it is certain that the successful conduct of the state in these particulars was sufficient to have suggested the idea that they were known.

To the other fortunate customs which may be traced up to those early times of the state, we may join that of the Census, by which the people, at every period of five years, took a regular account of the numbers and estates of their citizens, as the best measure they could have of their own progress or decline, and the surest test of their policy and conduct as a nation.

The Romans reckoned in the first period of their history a succession of seven kings (*r*), to each of whom they ascribed the invention of their several institutions. To Romulus, the mixed form of their government, the establishment of the senate and assemblies of the people, the ranks of Patrician and Plebeian, the relations of patron and client. To Numa, the religion of the people, and their regard to oaths. To Servius Tullius, the Census, or periodical muster; and so on. But whether we suppose these institutions to have been the suggestion of particular occasions, or the invention of ingenious men, directed by a deep premeditation of all their effects, there is no doubt that such institutions existed in very early times, and served as the foundation of that policy which distinguished the Roman state.

The monarchy of Rome is said to have lasted two hundred and forty-four years, a period in

(*r*) Romulus, Numa, Tullus Hostilius, Ancus Martius, Tarquinius Priscus, Servius Tullius, Tarquinius Superbus.

which

which the numbers of the people, and the extent of their ſettlement, had greatly increaſed. During this period, they had drawn many of their neighbours to Rome, and ſent many of their own people to occupy ſettlements abroad. By the inrolment of aliens, they procured a certain increaſe of people; and by ſpreading their colonies around, they made acquiſitions of territory, and extended the nurſery of Roman citizens. We find, nevertheleſs, that, by the laſt part of this policy, they incurred a danger of loſing the people whom they thus eſtabliſhed or bred up in new ſettlements, however little removed from the metropolis. Men had not yet learned to conſider themſelves as the citizens of one place, and inhabitants of another. In departing from Rome, the Coloniſts ceaſed to be inrolled in any tribe or ward of that city, or of its diſtrict; or to be ranked in any claſs of the people. They ceaſed, of courſe, to be called upon to vote in any of the aſſemblies, which they no longer attended. They formed notions of an intereſt, ſeparate from that of their original country, ſo much, that the colonies which had been planted by one prince, reſiſted the power of his ſucceſſors; and conqueſts, where the Roman citizens were mixed with the natives, in order to keep them in ſubjection, were ſometimes in danger of being loſt. The colony itſelf took a part in the diſcontents of the people they were ſent to reſtrain, and became parties with the vanquiſhed in their quarrel with the victors (*s*). But, notwithſtanding frequent inſtances of this ſort among the Roman colonies, the memory of their deſcent and the ties of conſanguinity, the pride of their diſtinction as Romans, the capacity which every coloniſt retained of returning to Rome, and of being reinſtated in the rolls of the people, for the moſt part preſerved their attachment to Rome, and made them ſtill a part of her ſtrength, and a principal ſource of her greatneſs.

(*s*) Liv. lib. iii. c. 4.

During

BOOK I.

During this period of the kingly government, the numbers that were inrolled in the city and its territory increased from three thousand and two hundred to eighty thousand men of an age fit to carry arms (*t*). The number of Roman tribes or wards of the city was augmented from three to twenty-one. The kingdom itself extended over the greater part of Latium, and had an intimate alliance with the whole of it. The city of Rome was become the principal resort of all the Latin confederates, the place of their meetings for devotion or pleasure, and the seat of their political consultations (*u*).

To accommodate and secure this populous and growing community, several of the heights contiguous to their original settlement were, during the same period, successively occupied, the marshes between them were drained by excavations and works of great magnificence, of which a considerable part is still entire. The city itself, instead of an earthen rampart, was surrounded with towers and battlements of hewn stone (*x*).

So

(*t*) Liv. lib. i. c. 44. (*u*) Dionys. Hal. lib. iv. p. 250.

(*x*) The stones employed in building the walls of Rome were said each to have been sufficient to load a cart.

The common sewers were executed at a great expence. It was proposed that they should be of sufficient dimensions to admit a waggon loaded with hay (Plin. lib. xxxvi. c. 15.). When these common sewers came to be obstructed, or out of repair, under the republic, the Censors contracted to pay a thousand talents, or about 193,000l. for clearing and repairing them (Dionys. Hal. lib. iii. c. 67.). They were again in disrepair at the accession of Augustus Cæsar, and the reinstating them is mentioned among the great works of Agrippa. He is said to have turned the course of seven rivers into these subterraneous passages, to have made them navigable, and to have actually passed in barges under the streets and buildings of Rome. These works are still supposed to remain; but, as they exceed the power and resources of the present city to keep them in repair, they are quite concealed, except at one or two places. They were, in the midst of the Roman greatness, and still are, reckoned among the wonders of the world (Liv. lib. i. c. 38); and yet they are said to have been works of the elder Tarquin, a prince whose territory did not extend, in any direction, above sixteen miles; and, on this supposition, they must have been made to accommodate a city that was calculated chiefly for the reception of cattle, herdsmen, and banditti. Rude nations sometimes execute works of great magnificence, as fortresses and temples, for the purposes of war and superstition; but seldom palaces, and still more seldom works of mere convenience and cleanliness,

CHAP. I.

Change to republic.

So far it appears, that while every successive prince gratified his own ambition by subduing some neighbouring district or village, and brought an accession of riches or territory to his country, the genius of monarchy was favourable to the growth of this rising empire. But when princes became satiated with conquests abroad, or began to meditate schemes to increase their own importance at home, their ambition took a different direction, and led them to aim at making the kingdom hereditary, and the people more subservient to their pleasure. Under this direction of the monarch's ambition, the state, as Montesquieu observes, was likely to become stationary, or even to decline. A revolution became necessary, in order to preserve it in its former progressive state.

U. C. 244.

Such a revolution, we are told, took its rise from the resentments of the people, excited by abuses of power, and was hastened by a momentary indignation, roused by an insult offered by a son of the king to a Roman matron. As the political evils which this revolution was intended to remedy were, *the state of degradation and weakness to which the Senate had been reduced*, the *usurpation of hereditary succession to the crown*, and the *general abuses of government*, suitable remedies were sought for to these evils, by restoring the numbers and power of the Senate,

lines, in which, for the most part, they are long defective. It is not unreasonable, therefore, to question the authority of tradition in respect to this singular monument of antiquity, which so greatly exceeds what the best accommodated city of modern Europe could undertake for its own conveniency. And as those works are still entire, and may continue so for thousands of years, it may be suspected that they were even prior to the settlement of Romulus, and may have been the remains of a more ancient city, on the ruins of which the followers of Romulus settled, as the Arabs now hut or encamp on the ruins of Palmyra and Balbeck. Livy owns, that the common sewers were not accommodated to the plan of Rome, as it was laid out in his time; they were carried in directions across the streets, and passed under buildings of the greatest antiquity. This derangement indeed he imputes to the hasty rebuilding of the city after its destruction by the Gauls; but haste, it is probable, would have determined the people to build on their old foundations, or at least not to change them so much as to cross the direction of former streets.

BOOK I. Senate, by aboliſhing the royalty, and by ſubſtituting in its place an elective and temporary magiſtracy.

The principal part of the revolution conſiſted in ſubſtituting the Conſuls, two annual magiſtrates, in place of the King. Theſe officers were choſen in the aſſembly of the Centuries. The officer who was to preſide at the election erected his ſtandard, and pitched his tent in the field of Mars (*y*), a meadow which lay on the banks of the Tiber, above the city. The people repaired to him in arms, and, diſtinguiſhed by the enſigns and armour of their different claſſes, proceeded to make their election.

That the city might not be ſurpriſed while its defenders were thus abroad in the fields, a guard was poſted, with its colours diſplayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If an enemy appeared during the election, the guard had orders to ſtrike their enſign; and on this ſignal every Century repaired to its poſt of alarm, and queſtions of ſtate were ſuſpended until the danger was removed. As it became an article of ſuperſtition, that the Centuries could not proceed in any buſineſs without having an enſign diſplayed on the Janiculum, it was in the power of any perſon, by ſtriking the enſign, to break up an aſſembly of the people: and this expedient for ſtopping the progreſs of any buſineſs was accordingly made uſe of at different times to the end of the republic (*z*).

It was meant that the Conſuls ſhould ſucceed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two ſheep was denounced againſt every perſon who refuſed to obey them (*a*). Their joint and divided

(*y*) Campus Martius. (*z*) See Book III. Chap. III.
(*a*) Plutarch. in Vit. Polecalæ.

command,

command, with the limited term of one year, which was to be the duration of their power, were thought sufficient securities against the abuse of it. BOOK I.

The government, by this revolution, devolved on the senate and nobles. The Plebeians, in the first formation of it, were favoured by the admission of a certain number of their order to fill up the senate, which had been reduced in its numbers by the tyranny of the late king; and they were declared, in case of any oppression, to have a right of appeal from any sentence or command of the magistrate to an assembly of the people at large. This was understood to be the great charter of every citizen. But the Patricians alone could be chosen into the newly established offices of state. They alone were to furnish the ordinary succession of members to the senate, and, by their inrolment in the first and second classes, to have a decided majority in all the meetings or *comitia* of the Centuries (*b*); that is, in all assemblies of the people that were called to elect officers of state, to enact laws, or to judge of appeals. By these several provisions in their favour, they were in possession of a complete aristocracy, which they claimed as hereditary in their families, but which they were not likely to retain, without much discontent and animosity on the part of their subjects.

(*b*) Dionys. Hal. lib. v.

CHAP. II.

Form of the Republic.—Dissention of Parties.—First Dictator.—Secession of Plebeians.—Tribunes of the People.—Their Objects.—Distribution of Corn.—Division of Lands.—Pretensions of the Plebeians.—Commission to compile Laws.—Decemvirs.—Twelve Tables.—Intermarriage of Ranks.—Claim of the Plebeians to the Consulate.—Military or Consular Tribunes.—Censors.—Ædiles.—Præfectus Annonæ. Fortune of the Republic.—Reduction of Veiæ—Destruction of Rome by the Gauls—Rebuilding of the City.

CHAP. II. U.C. 244.

THE government of Rome, as it is represented after the expulsion of the king, was become entirely aristocratical. The nobles had the exclusive possession of office, without any third party to hold the balance between themselves and the people. The Consuls were the sole executive magistrates, and the only ministers of the senate; they were understood to come in place of the king; performed all the functions of royalty; and, in the manner of the kings, to whom they succeeded, united in their own persons all the dignities of the state, those of *Judge*, *Magistrate*, and *Military Leader*.

Such, at the first institution of the commonwealth, was, both in respect of government and manners, the simplicity or rudeness of this community. The People, however, in their new situation, were gradually and speedily led, by the accumulation of their affairs, by the contest of their parties, and by the wants of the public, to a variety of establishments, in which they separated the departments of state, more equally distributed its powers,

CHAP. II.

filled up the lists of office, and put themselves in a posture to wield with advantage their strength as it encreased, and to avail themselves of every circumstance that occurred in their favour.

While the exiled king was endeavouring, by continual invasions, to recover his power, disputes arose between the parties who had joined to expel him (*a*); creditors, supported by the aristocracy, of which the nobles were now in full possession, became severe in the exaction of debts, or the patrons laid claim to more than the clients were willing to pay (*b*). The state was distracted at once by its enemies from abroad, and by the dissention of parties at home. The authority of the new government not being sufficient to contend with these dif-

(*a*) In these original disputes between the Patricians and Plebeians at Rome, it is implied that they frequently or commonly stood in the relation of creditor and debtor, as well as of patron and client. And we may account for this circumstance in either of two ways: First, by supposing that the client was in some degree, tributary to his patron, as the vassal was tributary to his lord in the original state of modern nations. Dionysius of Halycarnassus has laid some foundation for this supposition, in the passage above cited. Or we may suppose, in the second place, that the debts in question were money or effects actually borrowed by the client and lent by the patron. The first supposition is most agreeable to the manners of modern times; but the last is more likely to have been the fact in the original state of the Romans, and of ancient republics in general. Among them the great distinction of persons was that between freemen and slaves. The rich freeman was supplied with every thing he wanted by the labour of his slaves. The necessitous freeman toiled with his own hands in labouring a small piece of ground, or in tending a few beasts. He had no trade by which to supply the luxuries of the rich, or by which, as in modern times, to make them his debtors. When he wanted their aid he was obliged to borrow; and there was, perhaps, but one occasion on which he had credit for this purpose; when he was going to war, and when he both had a reasonable excuse for borrowing, and a probable prospect of being able to pay, perhaps with interest, from the spoils of an enemy. But when his hopes failed, he might become insolvent, and exposed to all the severities of which we read such complaints in the early part of the Roman History.

There is, throughout this History, sufficient evidence that the popular party were on the side of the debtor. The prejudices of this party operated against the exaction of debts. Their influence was employed in reducing the interest of money; in having it abolished, and in having it detested, under the invidious appellation of usury. They even strove, on occasion, to abolish debts: The result was far from being favourable to the necessitous borrower; he was obliged to pay for the risk, the penalties, and the obloquy to which the lender was exposed in transgressing the laws.

(*b*) Dionys. Hal. lib. 5.

BOOK I. U. C. 452 or 455*. ficulties, the ſenate reſolved to place themſelves and the commonwealth, for a limited time, under the power of a ſingle perſon, who, with the title of Dictator, or Maſter of the People (c), ſhould at his pleaſure diſpoſe of the ſtate, and of all its reſources.

This officer was inveſted with power to puniſh the diſorderly without trial and without appeal; to arm the people, and to employ their forces on any ſervice; to name his own ſubſtitute, or ſecond in command; and to act without being, even at the expiration of his office, accountable either to the ſenate or to the people. The circumſtances that were probably accidental in the firſt nomination of this extraordinary officer, were afterwards repeated as unalterable forms in every ſucceſſive appointment of the ſame kind. It became the prerogative of the ſenate to reſolve that a Dictator ſhould be named, and of the Conſul to name him. The ceremony was performed in the dead of night; (d) and as ſoon as the nomination was known, the Lictors, or miniſters of juſtice, armed with their axes and rods, withdrew from the ordinary magiſtrate, to attend this temporary lord of the commonwealth.

This was the firſt political expedient to which the ſtate was directed by the exigency of its new government. The precedent came to be repeatedly followed in times of calamity or public alarm, and the whole powers of the ſtate were occaſionally entruſted to ſingle men, on the ſole ſecurity of their perſonal characters, or on that of the ſhort duration of their truſt, which was limited to ſix months. This inſtitution was deviſed by the ſenate, to repreſs the diſorders which broke out among the peo-

(c) Magiſter Populi. (d) Liv. lib. viii. c. 20. & lib. ix. c. 28.

* The date of the nomination of the firſt Dictator is uncertain. Liv. lib. ii. Some place it nine years after the expulſion of the Kings; Dionyſ. 12 years.

ple,

ple, and to unite the forces of the commonwealth against its enemies. The next was of a different nature, and was meant to protect the Plebeians against the oppression of their lords.

The inferior class of the people, almost excluded from any share in the new government, soon found that under its influence they had more oppression to fear from their Patrons, than they had ever experienced from the prince they had banished. So long as the king and the senate shared in the powers of the state, the one took part with the people, when the other attempted to oppress them; and it was the ordinary interest and policy of the prince to weaken the nobles, by supporting the Plebeians against them. This effect of the monarchy still, in some measure, remained, so long as the exiled king was alive, maintained his pretensions, and made the united services of the people necessary to the senate. During this period the Patricians were still on their guard, and were cautious not to offend the people; but upon the death of the king, and the security which the new government derived from this event, the nobles availed themselves of their power, and enforced their claims on the people with extreme severity. In the capacity of creditors, they imprisoned, whipped, and enslaved those who were indebted to them, and held the liberties and the lives of their fellow-citizens at their mercy. The whole body of Plebeians was alarmed; they saw more formidable enemies in the persons of their own nobility, than in the armies of any nation whatever. When the republic was attacked, they accordingly refused to arm in its defence. Many who had already suffered under the rod of their creditors, when called upon to enlist, shewed their limbs galled with fetters, or torn with the stripes which they had received by command of their merciless patrons.

These

BOOK I.

Theſe diſtractions, joined to the actual preſence of a foreign enemy, obliged the ſenate to have recourſe to their former expedient, and to entruſt the republic again in the hands of a Dictator. Having ſucceeded in their firſt nomination, and having driven the enemy from their territories, they recurred to the ſame expedient again, on the return of a like occaſion; but, in order to mix inſinuation with the terrors of this meaſure, they made choice of Valerius, a perſon whoſe name was already known to the ſufferers by ſome popular laws which they owed to his family. This officer had credit enough with the people to prevail on them to take arms, and had the good fortune to repel the enemy, by whom the ſtate was invaded: But, upon his return, not being able to prevail on the ſenate to fulfil the hopes which he had given to the people, he made a ſpeech to exculpate himſelf, and laid down his power. The citizens who had fought under his banner being ſtill in the field, and, without any orders to diſband, ſuſpecting that the ſenate, under pretence of ſome war on the frontier, meant to remove them from the city, ran to their arms; and, if they had not been reſtrained by their military oath, and the reſpect they paid to the government of their country, muſt have entered the gates by force. But, under the impreſſion of theſe motives, they fled from the walls, inſtead of invading them, retired beyond the Anio, and took poſſeſſion of a height about three miles from Rome *(e)*, afterwards known by the name of the Sacred Hill. Their officers followed, and endeavoured to perſuade them to return to their duty; but were told, that no duty was owing to a government which had withdrawn its protection, and encouraged oppreſſion; that free citizens own no country in which they are not permitted to enjoy their free-

(e) Cicero de Claris Oratoribus, c. 14.

dom.

dom. "To what purpoſe," ſaid Sicinius Bellutus, who was then at the head of this mutiny, "recal "us to a city from which you have already forced "us to fly by your extortion? By what new aſ- "ſurance can you perſuade us to rely on a faith "which you have repeatedly broken? By what "charm can you engage us in ſupport of a com- "monwealth, of which you will not allow us to be "members? You mean to engroſs all the fruits "which are to be reaped in your country, and it is "well. We ſhall leave you to do ſo, and do not "mean to interrupt your enjoyments."

This ſeceſſion of a great body of the people having continued for ſeveral months, and in this time received a conſtant acceſſion of numbers from the city and from the contiguous fields, threw the republic into the greateſt diſorder; expoſed its lands to be neglected or pillaged by its own inhabitants, and ravaged by numerous enemies, who took this opportunity to invade it without oppoſition.

The Patricians had ſufficient force in their own body, and in that of their faithful retainers, to guard the avenues of the city, and to ſecure it from ſurpriſe: But being reduced to great difficulties for want of their uſual ſupplies of proviſions, and apprehending ſtill greater from the interruption of labour and the ſuſpenſion of government, they came to a reſolution to negotiate with the leaders of the mutiny; and, for this purpoſe, raiſed Sp. Caſſius, a perſon who, though of a patrician family, was in high favour with the people, to the office of Conſul. They agreed to mitigate the ſeverities which they had hitherto practiſed againſt inſolvent debtors, and to releaſe ſuch of them as were actually in bonds, or had been deſtined to ſlavery.

With theſe conceſſions, a deputation was ſent to the camp, and a negotiation was opened, in which the Plebeians obtained, not only a full acknowledgment of their privileges, but, what was of more

BOOK I. more consequence, a power of forming assemblies apart from the nobles (f), and of electing annual magistrates to guard and watch over their own separate rights. "Your Consuls," they said, "are "not so much the officers of the commonwealth as "the heads of a faction; and, in all questions that "relate to the people, are parties rather than "judges. It is reasonable that we too have a head "or representation in the commonwealth, under "which we may act, at least, in our own defence."

U.C. 260. In return to this well-advised and specious requisition, the tribunitian power was established, and with it the foundations of some good, and of much harm, laid in the commonwealth. Great part of the last might have been prevented, if the Plebeians, now in possession of a right to nominate Tribunes for the care of their interests, had from thenceforward been content with the power of election merely, had discontinued their own collective assemblies for any other purpose, and encreased the number of their Tribunes to a just representative of their whole body. The return, however, was more agreeable to the spirit of the times. The people were allowed to assemble; and, instead of a representation to support and preserve their rights with steadiness and with moderation, they proceeded to elect a few leaders, who, from thenceforward, were to head every popular tumult, and to raise up every wind of contention into a storm.

The Tribunes were authorised, at their first institution, to forbid, or to restrain, any measures which they thought hazardous, or injurious to the rights of their constituents, but not to propose any law, nor to move any positive resolution. They were not entitled to exercise their powers beyond the walls of the city, or to absent themselves from

(f) Dionys. Hal. lib. vii.

it

it for a whole day, except in their attendance on the festival of the Latin allies, where the presence of all the Roman magistrates was required. A single Tribune might stop the proceedings of his own body, and of the people themselves, as well as the proceedings of the senate and patrician magistrates. In the exercise of this last part of their trust, though not permitted in this age of aristocracy to mix with the senators, they had places assigned them at the doors of the senate house, from which, as from a watch-tower, they were to observe, and on occasion to stop, the proceedings of the lords.

As the Tribunes were destined to withstand the exertions of power, and were supposed, on the most dangerous occasions, to expose themselves to the axe and the sword of their adversaries, it was thought necessary to guard their persons with the most sacred fences of religion and law. For this purpose an inviolable rule was prescribed in the following terms: "Let no one offer violence to the "person of a Tribune; neither kill him, nor pro-"cure him to be killed; neither strike him, nor "procure him to be struck. Let the person who "offends against this law be accursed; let his ef-"fects be made sacred to pious uses, and let every "one pursue him to death."

To render this act irrevocable, a solemn oath for the perpetual observance of it was imposed, and dreadful imprecations were denounced against any person who should propose to repeal it *(g)*; and such was the effect of these precautions, taken for the safety of the Tribunes, that, under the republic, persons obnoxious to public justice could not be punished, while they continued to bear this sacred character. And the Emperors themselves, after they had abolished all the other rites of the republic, found, under this sacred title of Tribune,

(g) Dionys. Halicar. lib. iv. p. 410.

a refuge

BOOK I. a refuge to their crimes and oppreſſions, and a protection againſt the deſigns of aſſaſſins, or the reſentment of thoſe they had offended by their tyranny.

The College of Tribunes, at its inſtitution, was not limited to any preciſe number of members; it conſiſted at firſt of ſuch perſons as had been moſt active in procuring the eſtabliſhment, and continued to be filled with the moſt zealous partiſans of the people, the number being three or more, according as perſons appeared to merit this honour. But in proceſs of time both the Plebeians who aſpired to this diſtinction, and the Patricians who were jealous of it, conſpired to augment the numbers.—The firſt, in order to make way for their own preferment; and the ſecond, to the end that they might be the better enabled, on occaſion, to diſunite their enemies, and to procure the negative of a part, to arreſt the proceedings of the whole. The College of Tribunes was accordingly augmented by degrees to ten; and a law was made to provide that the elections ſhould not ſtop ſhort of this number *(h)*.

Patricians could neither elect nor be elected into this office *(i)*, although in the midſt of irregularities incident to all unformed, eſpecially to all popular governments, ſome exceptions are mentioned, even to the laſt part of this rule. The Tribunes were at firſt elected in the aſſembly of the Curiæ, where the vote of the pooreſt citizen was equal to that of the moſt wealthy. But even here the Patricians, although not abſolute maſters, as they were in the aſſembly of the Centuries, having great influence, and, by holding the auſpices, having even a negative on all proceedings, it was thought neceſſary to alter the form of the aſſembly in which the Tribunes were elected to that of the Tribes; and by

(*h*) Lex Trebonia. Liv. lib. iii. c. 65. (*i*) Dionyſ. Hal. lib. vii.

this

this means to enable the people to make their election, without any controul from the nobles, either in virtue of the authority of the ſenate, or the interpoſition of the augurs *(k)*. CHAP. II.

Such was the inſtitution of the Plebeian Tribunes, while the ſtate yet knew of no other magiſtrate beſides the Conſuls and the Quæſtors, of whom the laſt, even under the kings, had been employed as a ſpecies of commiſſaries, or providers for the army. The expedient was adopted by the ſenate, to quiet the animoſity of parties; but tended, in fact, only to render the conteſt between them more equal, and to multiply the ſubjects of diſpute. The Tribunes being veſted with power to aſſemble the people, could not long be confined to the mere negative with which they were at firſt entruſted; nor was it eaſy, on every occaſion, to diſtinguiſh the meaſures of attack from thoſe of defence; and the party of the Plebeians, with theſe officers at their head, were then in a poſture, not only to preſerve their rights, but likewiſe to gain to their order continual acceſſions of privilege and power. Happily for the ſtate, there was yet much ground of this ſort to be gained, without tranſgreſſing the bounds of good order, or encroaching on the authority of equitable government.

The popular leaders in this career had to break through the bar of hereditary diſtinction, which, it was pretended, contrary to the genius of the republic, that no perſonal merit and no meaſure of ability could remove. One of the firſt ſteps they made in purſuit of this object, was to preclude every other power in the ſtate from a negative on their own proceedings. For this purpoſe it was enacted, by the authority of the Tribes, that no one, under pain of death, or of an arbitrary fine, ſhould interrupt a Tribune while he was ſpeaking

(*k*) Dionyſ. Hal. lib. ix. p. 65.

to

BOOK I. to the people *(l)*. Being thus provided againſt interruption, as they were by a former law againſt violence to their perſons, they not only took up the complaints of their conſtituents, they ſuggeſted new claims to be made by them, and, at every ſucceſſion to office, endeavoured to ſignalize their term by ſome additional eſtabliſhment for the benefit of the people: They even interrupted the ſtate in its councils and military operations, and almoſt in every inſtance hung upon the wheels of government, until the grievances they complained of were redreſſed, or the demands they made were complied with.

In order to encreaſe the number of Plebeian officers, whoſe aid the Tribunes alleged were neceſ-
U. C. 260. ſary to themſelves, they, ſoon after their own inſtitution, procured that of the Ædiles, who were to inſpect the markets, and have charge of the public buildings and public ſhows. Being ſubordinate to the Tribunes, as well as to the Conſuls, they acted, upon occaſion, in what related to the policy of the town, as aſſiſtants to both *(m)*.

As Rome was a place of arms, and ſubſiſted in ſome meaſure by public magazines; as ſettlements won from the enemy were often to be diſpoſed of to citizens; as its inſtitutions were yet new and incomplete; and as the Patricians ſtill claimed an excluſive right to all the offices of ſtate, there was much to occupy the cares of the Public—the diſtribution of corn from the granaries, the diviſion of conquered lands, the defects of the laws, and the arbitrary proceedings of the magiſtrates. The qualifications of candidates for the office of Conſul furniſhed, during ſome ages, the ſubject of continual debates, and frequently expoſed the parties concerned in them, if they eſcaped the ſwords of their enemies, to periſh by their own diſſentions. Their

(l) Dionyſ. Hal. lib. vii. (m) Ibid. Hal. lib. vi.

civil

civil and military tranſactions were conſtantly blended together. The ſenate frequently involved the ſtate in war, in order to ſuſpend its inteſtine diviſions, and the people as often took occaſion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands. CHAP. II.

The firſt ſubject of contention that aroſe after the inſtitution of the Tribunes was a ſequel of the troubles which had preceded that eſtabliſhment. The ſeceſſion of the people took place in Autumn, the uſual ſeed-time in Italy; and the labours of that ſeaſon having been accordingly interrupted, the city was threatened with famine; and the ſenate exerted all its induſtry in guarding againſt this evil *(n)*. After the public granaries were filled for this purpoſe, it became a queſtion, upon what terms, and at what price, the poorer citizens ſhould be ſupplied from thence. Their inſolence in the late mutiny, and the part which they themſelves, by ſuſpending the labours of the field, had taken, in bringing on the diſtreſs with which they were now threatened, were fully ſtated againſt them in this deliberation. The opportunity was thought to be fair, to recal the ſeveral conceſſions which had been extorted from the ſenate, and, in particular, to oblige the people to part with their Tribunes, and to return within the former bounds of their duty.

Such was the ſubſtance of a contumelious ſpeech, delivered in the ſenate by the celebrated Caius Marcius Coriolanus. The younger nobility applauded his ſentiments; but the greater part of the ſenate, having recently eſcaped from a popular ſtorm, were unwilling to engage themſelves anew in the ſame dangerous ſituation. In order, therefore, to appeaſe the people, who were greatly incenſed at

(*n*) Dionyſ. lib. vii.

BOOK I. the propoſal which had been made to ſubdue them, they agreed to deliver corn from the public granaries, at a price below that of the moſt plentiful ſeaſon. And, by this proceeding, for the preſent pacified the Tribunes, but flattered their preſumption, and encouraged them to meditate ſtill further demands. The diſtreſs with which their conſtituents had been threatened was prevented, but the inſult they had received from Caius Marcius was not avenged; and they cited him to appear before the tribunal of the People, to anſwer for his conduct to the party he had offended. The Senate and Patricians were diſpoſed to protect him; but, truſting that by the majority of their votes they might be able to acquit him in the *comitia* of the Centuries, the only aſſembly before which, from the time of its firſt inſtitution, any capital charge had been hitherto laid againſt a citizen, they ſuffered the trial to proceed. In this, however, they were diſappointed. The Tribunes inſiſted, that the people ſhould aſſemble in their Tribes; and having prevailed in this previous queſtion, the accuſed, as being already condemned by this determination relating to the form of his trial, withdrew from his ſentence (*o*).

U. C. 262. Coriolanus, in reſentment of this proſecution, which forced him into exile, joined the enemies of his country, and by encreaſing the alarm of war from abroad, helped to ſuſpend for a while the animoſities of which he himſelf had furniſhed the occaſion at home. The conteſt in which he had engaged the parties ended with his own exile, and was not attended with any other political effects; but it merits a place in theſe obſervations, as a proof of the great influence which the Plebeian party, under its new leaders, had acquired, and as an evidence of the ſingular ſtate of the Roman po-

(*o*) Dionyſ. Hal. lib. i. p. 469.

licy,

licy, by which, in the uncertain choice of different modes of aſſembly, the very form of the government was left undetermined, until the occaſion occurred on which this government was to act.

The aſſembly of the Centuries formed an ariſtocracy, that of the tribes a democracy. They did not partake in the ſovereignty by any determinate rule, but each of them occaſionally ſeized upon the whole of it; and, inſtead of balancing each other by regular checks and interruptions, threatened to render the adminiſtration of the Republic a continual ſcene of contradictions and inconſiſtencies. Such at leaſt is the judgment which we are tempted, in ſpeculation, to paſs on this ſingular conſtitution, although, in the ſequel of its hiſtory, it will appear to poſſeſs, at leaſt, one of the higheſt political advantages, in being the moſt excellent nurſery of ſtateſmen and warriors, and in forming the moſt conſpicuous example of national ability and ſucceſs.

The calm which the approach of Coriolanus, at the head of an army of Volſci, produced within the city, was of no longer duration than the alarm which produced it. As ſoon as the external enemy withdrew, the parties within reſumed their diſputes; but on a ſubject which was ſtill more important than that which had recently employed them; and which, continuing to be moved at intervals, ſerved to the laſt hour of the Republic as an object of popular zeal, or furniſhed a ſpecious pretence, which ambitious and deſigning men continually employed, to captivate the ears of the populace. This was the moſt popular of all propoſitions—an equal diviſion of land property, known by the name of the Agrarian Law.

While the Romans were making their firſt acquiſitions of territory, their conqueſts were underſtood to be made for the people, and were accordingly divided among them, or given to thoſe who

had

BOOK I. had not a ſufficient proviſion for the ſubſiſtence of their families *(p)*. But of late, during a conſiderable period, while the Republic barely withſtood the attacks of the exiled king, or recovered the loſſes ſuſtained in the wars with the numerous enemies that ſupported him, ſhe had either made few acquiſitions of this ſort, or, ſuitably to the growing diſparity of ranks, which, though not neceſſary in very ſmall republics, becomes ſo in proportion as nations extend, ſuffered the conquered lands to paſs by connivance, occupancy, or purchaſe, into the hands of powerful citizens, who made uſe of theſe opportunities to appropriate eſtates to themſelves.

U. C. 267. The Tribunes had not yet begun to make their complaints on this ſubject, when they were anticipated by the Conſul Sp. Caſſius, who, being already in high favour with the popular party, continued to flatter the paſſions of the inferior claſs, and is ſaid to have aimed at an improper and dangerous influence in the ſtate. He affected great zeal for the rights of the people, and proportional indignation againſt their oppreſſors. He complained, in particular, of the improper uſe which had been recently made of the conquered lands, by ſuffering them to become the property of perſons who were already too rich. Having himſelf made ſome conqueſts, he ſhowed how the lands of the Republic ought to have been diſpoſed of, by making an equal diviſion of his own acquiſitions among the more indigent citizens *(q)*. He obtained an act of the people to appoint three commiſſioners to enquire into the abuſes which had been committed in the diſpoſal of lands acquired from the enemy, and to conſider of the proper corrections.

The ſenate, and the Patricians in general, were greatly alarmed; moſt of them had poſſeſſions that

(*p*) Dionyſ. Hal. lib. ii. (*q*) Liv. lib. ii. c. 41.

ſeemed

ſeemed to fall within the object of this inquiry. The popular party alleged, that conquered lands being acquired by the joint labours, and at the common hazard, of all the people, ſhould be equally divided among them. The Patricians contended that theſe levelling principles led to confuſion and anarchy; that, in a ſtate of which all the territory was actually, and within a few centuries, acquired by conteſt, theſe maxims could not be applied without the ſubverſion of government, as well as of property.

In this conteſt, Caſſius appeared to have the advantage of numbers on his ſide; and if he had confined his views to the diviſion of lands, under which he was ſaid to diſguiſe a more dangerous intention, the ſenate and nobles muſt have at leaſt deviſed conſiderable ſettlements for the people, in order to elude his demands. But while Caſſius alarmed the rich with danger to their property, he at the ſame time alarmed every citizen with danger to his perſonal conſequence, by offering the freedom of the city to every alien, who, at his ſummons, crowded from all the cantons of Latium to vote in the aſſemblies of the Roman people. His colleague oppoſed this meaſure, and the city, for the preſent, was ſaved from the intruſion of ſtrangers. The attempt, however, gave offence to the people, as well as to the ſenate; and the unhappy author of it, in order to regain the favour of his party, propoſed a reſolution, not only to make a gratuitous diſtribution of corn, but even to refund what had been formerly paid by any citizen at the public granaries. This propoſal too was interpreted to his prejudice, and raiſed a ſuſpicion that he meant, with the aid of aliens and of indigent citizens, to uſurp the government. On this ſuppoſition, all parties in the ſtate combined againſt him, and he was condemned to ſuffer the puniſhment of treaſon.

BOOK I.

This appears to have been the firſt project after the ſtate began to have its demeſne lands, and after private eſtates began to be accumulated, that was made to divide all territorial acquiſitions in equal ſhares to the people. And though the author of it periſhed in the attempt, the project itſelf was entailed on the commonwealth, as a ſubject of diſſention, and became the ſource of repeated demands on the part of the people.

The Tribunes had no ſooner accompliſhed the ruin of Caſſius, in which they concurred with the ſenate, than they inſiſted for the execution of the law he had framed, and for the nomination of three commiſſioners already reſolved on, for the diviſion of conquered lands. They protected the people in refuſing to ſerve the ſtate in its wars, until this demand ſhould be granted. And having abſolute and irreſiſtible power to ſtop all proceedings in the city, they prevented all military levies within the walls, obliged the Conſuls, during a certain period, to erect their ſtandard in the country, and there to force the herdſman and labourer to enliſt, by driving away the cattle, and diſtraining the effects of thoſe who were unwilling to obey them *(r)*.

In theſe exertions of political ſtrength, the parties at Rome learned by degrees to form their different plans, whether of adminiſtration or of oppoſition.

The ſenate endeavoured to furniſh the people with employment abroad, to amuſe them with triumphal proceſſions, to gratify them with partial ſettlements and allotments of land; and, in order to ſtop the violence of their leaders, by the negative of ſome one of their own order, continually endeavoured to divide the College of Tribunes.

The Tribunes, in their turn, endeavoured, by oaths and private engagements, to ſecure the una-

(r) Dionyſ. Hal. lib. viii. Ibid. No. 273 and No. 278.

nimity of their own body, or to bind the minority to follow the decision of the greater number. They taught the people to despise the partial settlements, which, to pacify or to suspend their importunities, were offered to them at a distance from Rome. They taught them to aim at a higher object, the political consequence of their order, and an equal share in the government of their country. The Tribunes were honoured in proportion to the part which they took in support of this popular cause; and Plebeians were successively raised to this office, in reward of the animosity they had occasionally shewn to the senate, and from respect to the courage with which they had, in any case, withstood the authority of the magistrate. CHAP. II.

At every succession, accordingly, the new Tribunes endeavoured to signalize their year by suggesting some advantage to the people; and, in the course of their struggles, obtained many regulations favourable to their interest as an order in the State.

One law which has been already mentioned, and which is of uncertain date, they obtained, to substitute the assembly of the Tribes for that of the Curiæ in the election of Tribunes *(s)*.

Another, to exclude the Patricians entirely from the Assembly of the Tribes *(t)*. U. C. 282.

The Agrarian Law itself they frequently moved, in the interval of other claims and pretensions, or brought it forward along with such claims, in order to alarm the Patricians, and to force them, under apprehension of this principal object of their fears, to a compromise, or to a compliance in some other demand.

To the other circumstances, which tended frequently to revive these political flames, may be joined the arbitrary proceedings of the magistrate,

(*s*) Dionys. Hal. lib. 9. Liv. lib. ii. c. 56. (*t*) Liv. lib. ii. c. 60.

BOOK I. and the defect of judicial forms in the commonwealth. The Consuls had succeeded to the Kings, as sole Officers of State, both civil and military; they had not sufficient forms or limitations prescribed to them in the exercise of their power (*u*). This defect, which is common in the administration of rude governments, is for the most part supplied by degrees. Evils are corrected in proportion as they are felt, and the rational proceedings of one age are adopted as precedents to regulate the next. But, in the present instance, at Rome, the popular party, it is said, demanded at once a system of jurisprudence and a complete body of laws. Being opposed by the Patricians, they came to consider the measure as an object of party; and they pressed the acceptance of it, as much from animosity to the magistrates, as from a desire to secure public justice, or to regulate the forms of judicial procedure. The Patricians considered the project as an attack on their power; and, however innocent or reasonable it may have been, endeavoured to elude the execution of it with all the arts of evasion and delay, which they had employed to prevent the division of the conquered lands, or to frustrate any other the most factious purpose of their adversaries.

In this contest the powers and artifices of both parties were fully exerted. To the great authority and address of the nobles, the people opposed an ardour that was not to be cooled by delays, to be discouraged by partial defeats, or restrained by scruples in the choice of means for the attainment of their end. From this, as from many other instances, it may be inferred, that the popular party, in the contest with their superiors, are apt to think, that the rules of veracity and candour may be dispensed with, and that the means of deceit and vio-

(*u*) Liv. lib. iii. c. 9. Dionys. Halycar. lib. x.

lence

CHAP. II.

lence may, without any ſcruple, be employed in their own favour. With leſs honour and dignity to maintain than their adverſaries, they are leſs afraid of imputations that detract from either; and their leaders, ſupported by the voice of the more numerous party, are leſs apprehenſive of evil fame. In this conteſt, accordingly, fictitious plots and conſpiracies were fabricated by the popular ſide, and fictitious deſigns againſt the liberties of the people were imputed to the Patricians, in order to render them odious, and to deter them from appearing in ſupport of their real pretenſions (*w*).

In the iſſue of theſe conteſts, the ſenate, deſpairing of being able to divert the people from their purpoſe, agreed to the nomination of three commiſſioners, who ſhould be ſent into Greece to make a collection of ſuch laws as, being found ſalutary in that country, might be transferred to Rome. Soon after the return of the commiſſioners, the Senate approved their report, and concurred in the nomination of the famous Decemvirs to compile a body of laws for the commonwealth.

The Decemvirs were appointed merely to make U. C. 302. the draft of a new code, and to propoſe matter for the conſideration of the Senate and People, from whom alone the propoſitions could receive the authority of laws; yet the perſons named for this purpoſe, as the Hiſtory bears, had credit enough with the people to be veſted with a temporary ſovereignty, in which they ſuperſeded the authority of the Senate, as well as that of the Conſuls, and had unlimited power over the lives and fortunes of their fellow-citizens (*x*). Before their commiſſion expired, they preſented a number of laws, engraven on ten tables or plates, and containing a ſummary of the privileges to be enjoyed by the People, of the crimes to be puniſhed by the Magiſtrate, and

(*w*) Dionyſ. Hal. lib. x. (*x*) Ibid. No. 303.

of

BOOK I. of the forms to be obſerved in all judicial proceedings. They, at the ſame time, informed the people, that their plan was ſtill incomplete, that many uſeful additions were yet to be made; and, upon the faith of theſe declarations, obtained for another year the renewal of their powers, with a change of ſome of the perſons who were named in the commiſſion.

In this ſecond year of the Decemvirs appointment, two more tables or plates were added to the former ten; a circumſtance from which this part of the Roman law has derived its name. This ſupplement, as well as the former body of laws, was received with great avidity, and the twelve tables continued to be reſpected at Rome, as the antient titles, by which men are ſuppoſed to hold any valuable rights, are revered in all nations (*y*). No complete copy of them being tranſmitted to modern times, we cannot fully judge of their value; but, from the fragments remaining in Authors that occaſionally cite them (z), this Code appears, in ſome clauſes, to have been a firſt draft of the regulations which are neceſſary in the eſtabliſhment of property, and in making private parties anſwerable to public judicatures in all their diſputes.---The property of land was eſtabliſhed by a fair preſcription of two years, and that of other effects by a preſcription of one year.---Any controverſy concerning the boundaries of land-property was to be determined by arbiters or jurymen appointed by the Magiſtrate.---Parties cited to a court of juſtice were not at liberty to decline attendance.---Judgment in capital caſes was competent only to the Aſſembly of the People in their Centuries; but this ſupreme

(*y*) Livy calls the Twelve Tables *Fons omnis publici privatique juris.* Tacitus calls them *Finis equi juris.* And Craſſus, in the Dialogue of Cic. de Orat. is made to ſay, Bibliothecas omnium philoſophorum, unus mihi videtur tabularum libellus ſuperare. De Orat. lib. i. c. 44.

(*z*) Vid. Gravini de Origine Juris Civilis. Pighii Anal.

preme Tribunal might delegate its powers by a special commiſſion.

In conſidering this Code as a record of antient manners, the following particulars are worthy of notice:

The diſtinction of Patrician and Plebeian was ſo great, that perſons of theſe different orders were not permitted to intermarry.

The father being conſidered as the abſolute maſter of his child, had a right even to kill, or expoſe him to ſale *(a)*.

The intereſt of money was limited to one *per cent.* *(b)*; but bankruptcy was treated as a crime, and,

(*a*) The clauſe in the Twelve Tables relating to the father's power of ſale, contains a ſingular limitation. Vendendi filium patri poteſtas eſto. Si pater filium ter venundavit, filius a patre liber eſto. The father may ſell his child, but if he has ſold him three times, the child ſhall be free. (Dionyſ. lib. ii. c. 27. p. 97.) This law, in its firſt appearance, carries an implication that, until this reſtriction was applied, fathers practiſed ſelling their children times without limit. No law, it may be ſaid, is made againſt crimes altogether unknown; and, in general, what people do, may be inferred from what they are forbid to do; and yet the clauſe, conſidered in this light, is full of abſurdity. The child, to be repeatedly ſold, muſt have repeatedly diſengaged himſelf from ſlavery. After being twice ſold, he muſt have put himſelf a third time in the father's power; and to render ſuch caſes the object of law in any age or country whatever, the great law of parental affection muſt have been ſtrangely ſuſpended. The queſtion therefore may be ſubmitted to Civilians and Antiquaries, whether it be not eaſier to ſuppoſe a miſtake in the tradition or in the record, or an unneceſſary precaution in the compilers of this Code, than ſuch a frequency of the circumſtances preſumed in this clauſe, as would make the offence a proper object of legiſlation in any age or nation whatever; and whether this law may not have been, in its original intention, what it became in the ſubſequent applications of it, a mere precaution in favour of the parent, that he ſhould not be deprived of his child by ſurprize, and that unleſs he had ſold him three times, he was not ſuppoſed to have ſold him at all. The form by which a Roman father emancipated his ſon, conſiſted of a ſale three times repeated. The father ſold him and received his price. The buyer once and again re-delivered the child, and had his price returned. After the third purchaſe, the buyer manumitted him by a ſingular ceremony preſcribed in the laws.

(*b*) Nam primo duodecim tabulis ſancitum, ne quis unciario ($\frac{1}{12}$ per mon. or 1 per cent. per ann.), fœnore amplius exerceret, cum antea ex libidine locupletium agitaretur; dein rogatione tribunitia ad ſemuncias redacta; poſtremo vetitæ uſuræ; multiſque plebiſcitis obviam itum fraudibus, quæ toties repreſſæ miras per artes rurſus oriebantur. Tacit. An. lib. vi.

Monteſquieu ventures to reject the authority of Tacitus in this inſtance, and ſuppoſes that the law which he aſcribes to the Decemvirs had no exiſtence until the year U. C. 398; when, according to Livy, lib. vi. it was obtained

BOOK I. and, without any diſtinction of fraud or misfortune, expoſed the inſolvent debtor to the mercy of his creditors, who might put him to death, diſſect or quarter him, and diſtribute his members among them (*c*).

Mixed with laws that aroſe from ſuperſtition, there were others containing proofs of great national wiſdom. In private, every family were free to worſhip the gods in their own way. And in public, though certain forms were required, yet there was not any penalty annexed to the omiſſion of them, as the puniſhment of offences in this matter was left to the offended god.

The people were required to build their houſes two feet aſunder, to leave eight feet for the ordinary breadth of ſtreets and highways, and double this breadth at the turnings.

They were forbid to dreſs or to poliſh the wood employed in funeral piles, or to expreſs their ſorrow for the dead by wounding their fleſh, tearing their hair, or by uttering indecent or lamentable cries.

Such are a few of the more ſingular and characteriſtical clauſes which are mentioned among the

obtained by the Tribunes M. Duellius and L. Menenius, in favour of the people. Haud æque patribus læta, inſequente anno C. Martio & Cn. Manlio Coſſ. de unciario fœnore a M. Duellio, L. Menenio, tribunis plebis, rogatio perlata. It is indeed probable that many antiquated laws were referred to this Legendary Code of the Twelve Tables on no better authority than that of their antiquity. And ſo great a reduction of intereſt was more likely to come from Tribunes acting in favour of the people, who were generally the debtors, and who ſoon after procured the entire abolition of the intereſt of money, than from the Decemvirs, who, being of the ariſtocratical faction, took part with the creditors.

(*c*) The clauſe in this Code reſpecting inſolvent debtors, is equally ſtrange with that which reſpects the power of the father, and ſhews no leſs upon what atrocious ideas of what they were to permit, as well as of what they were to prohibit, the compilers of this Code proceeded. Their ideas in either, it is probable, were never realized. Livy ſays, that debtors were *nexi & traditi creditoribus* (Liv. lib. ii. c. 23 & 27.) But it is affirmed with great probability of truth, that no creditor ever took the full benefit of this law againſt his inſolvent debtor (Aul. Gell. lib. 20. c. 1). Laws that reſult from cuſtom, and are ſuggeſted by real occaſions, are genuine proofs of the reigning manners; but laws enacted by ſpecial lawgivers, or commiſſioners, only indicate what occurs to the fancy of the compiler, and what are the prohibitions he is pleaſed to ſuppoſe may be neceſſary.

fragments

fragments of the Twelve Tables. The ardour of the people to obtain this Code, and the unlimited powers which they entrusted to the commissioners appointed to frame it, had nearly cost them their liberty; and thus ended the progress of their commonwealth. The Two additional Tables, as well as the first Ten, having been posted up for public inspection, and having been formally enacted by the Senate and People, the object of the Decemvirs commission was obtained, and it was expected that they were to abdicate their power; but the principal persons vested with this trust, having procured it with a view to usurp the government, or being debauched by two years uncontrouled dominion in the possession of it, refused to withdraw from their station, and boldly ventured to persist in the exercise of their power after the time for which it was given had elapsed. At Rome, the power of the magistrate was supposed to determine by his own resignation, and the republic might suffer a peculiar inconveniency from the obstinacy of particular persons, who continued to exercise the functions of office after the period assigned them by law was expired.

The Decemvirs took advantage of this defect in the constitution, continued the exercise of their power beyond the period for which it was given, took measures to prevent the restoration of the Senate and the Assemblies of the People, or the election of ordinary magistrates, and, even without employing much artifice, got the People to acquiesce in their usurpation, as an evil which could not be remedied; and the usurpers, in this as in other instances, seemed to meet with a submission that was proportioned to the confidence with which they assumed their power. The wrongs of the State appeared to make little impression on parties who had an equal concern to prevent them; but a barbarous insult offered to a private family rekindled

BOOK I. dled or gave occasion to the breaking out of a flame, which injuries of a more public nature only ſeemed to have ſmothered.

Appius Claudius, one of the uſurpers, being captivated with the beauty of Virginia, the child of an honourable family, and already betrothed to a perſon of her own condition, endeavoured to make himſelf maſter of her perſon, by depriving her at once of her parentage and of her liberty. For this purpoſe, under pretence that ſhe had been born in ſervitude, and that ſhe had been ſtolen away in her infancy, he ſuborned a perſon to claim her as his ſlave. The Decemvir himſelf being judge in this iniquitous ſuit, gave judgment againſt the helpleſs party, and ordered her to be removed to the houſe of the perſon by whom ſhe was claimed. In this affecting ſcene, the father, under pretence of bidding a laſt farewel to his child, came forward to embrace her; and, in the preſence of the multitude, having then no other means to preſerve her honour, he availed himſelf of the prerogative of a Roman father, and ſtabbed her to the heart with a knife. A general indignation inſtantly aroſe from this piteous ſight, and all parties concurred, as at the expulſion of the Tarquins, to deliver the republic from ſo hateful a tyranny *(d)*.

U. C. 304.

The Senate and Patrician adminiſtration being re-eſtabliſhed by the chearful concurrence of the Plebeians, and the former government reſtored with the conſent of all parties, a tide of mutual confidence enſued, which led to the choice of the moſt popular perſons into the office of Conſul, and procured a ready aſſent from the nobles to every meaſure which tended to gratify the people.

The danger which had been recently experienced from the exerciſe of uncommon diſcretionary powers, produced a reſolution to forbid, under the ſe-

(*d*) Liv. lib. iii. c. 37. Dionyſ. Hal. fine.

vereſt

vereſt penalties of confiſcation and death, any perſon ever to propoſe the granting of any ſuch powers. The conſecration of the perſons of the Tribunes, which, under the late uſurpation, had almoſt loſt its effect, was now renewed, and extended, though in a meaner degree, to the Ediles and inferior officers, who were ſuppoſed to act under the Tribunes in preſerving the rights of the people.

The Patricians likewiſe conſented to have the acts of the Senate formally recorded, placed in the temple of Ceres, and committed to the care of the Ediles *(e)*. This was in fact a conſiderable diminution of the power of the Conſuls, who had been hitherto conſidered as the keepers and interpreters of the Senate's decrees, and who had often ſuppreſſed or carried into execution the acts of this body at pleaſure.

But the moſt ſtriking effect, aſcribed to the preſent unanimity of the citizens, was the eaſe with which the Plebeian aſſemblies were permitted to extend the authority of their acts to all the different orders of the commonwealth. U. C. 304.

The *Comitia*, or aſſemblies of the Roman people, as may be collected from the paſt obſervations, were now of three denominations; that of the Curiæ, the Centuries, and the Tribes. In aſſemblies of the firſt and ſecond denomination, all citizens were ſuppoſed to be preſent; and laws were enacted relating to the policy of the ſtate in general, as well as to particular departments, and ſeparate bodies of men. The Centuries diſpoſed of civil offices, and the Curiæ of military commands *(f)*. In the aſſembly of the Tribes, compoſed of Plebeians alone, the Tribunes were elected; and acts were paſſed to regulate the proceedings of their

(*e*) Liv. lib. iii.

(*f*) Lib. v. c. 52. Lib. ix. c. 38. Cic. ad Famil. lib. i. ep. 9. Liv. lib. vi. c. 21.

own

BOOK I. own order, beyond which, in the antient times of the republic, their authority did not extend. But as the Senate denied the right of the Tribes to enact laws that should bind the community, the Plebeians, in their turn, disputed the legislative authority of the Senate. The Centuries alone were supposed to enjoy the right of enacting laws for the commonwealth *(g)*.

This distribution, however, was partial, and tended to lodge the sovereignty of the State in the hands of the Patricians, who, though no more than a part of the people, were enabled, by their undoubted majority in the assemblies of the Centuries as well as in the Senate, to give law to the whole.

Equity and sound policy required that the Plebeians should have a voice in the legislature of a commonwealth of which they made so considerable a part. This privilege appeared to be necessary, in order to secure them against the partial influence of a separate order of men. They accordingly obtained it; but in a manner that tended to disjoin, rather than to unite into one body, the collateral members of the State. Instead of a deliberative voice, by which they might concur with the Senate and *Comitia* of the Centuries, or by which they might controul and amend their decrees, they obtained for themselves a separate and independent power of legislation, by which, as a counterpoise to the Patrician acts, which might pass in the Centuries without their concurrence, they could, on their part, and without the presence or consent of the nobles, make Plebeian acts that could equally
U. C. 304. bind the whole community *(h)*.

This rude and artless manner of communicating a share of the legislature to the inferior order of the

(g) These were termed *Leges*; the resolutions of the Senate were termed *Senatûs Consulta*, and those of the Tribes, *Plebiscita*.
(h) Dionys. Hal. p. 306. Liv. lib. iii. c. 55.

people,

people, tended greatly to increaſe the intricacy of this ſingular conſtitution, which now opened, in fact, three diſtinct ſources of legiſlation, and produced laws of three different denominations; decrees of the Senate (*i*), which had a temporary authority; acts of the Centuries (*k*); and reſolutions of the Tribes (*l*); and by theſe means undoubtedly made way for much inteſtine diviſion, diſtraction, and tumult. CHAP. II.

So far animoſity to the late uſurpation had united all orders of men in the meaſures that followed the expulſion of the Decemvirs; but the ſpirit of cordiality did not long ſurvive the ſenſe of thoſe injuries, and that reſentment to a common enemy from which this tranſient unanimity aroſe. The Plebeians had removed ſome part of the eſtabliſhment, in which the Patricians were unequally favoured; but they bore with the greater impatience the inequalities which remained, and by which they were ſtill condemned to act a ſubordinate part in the commonwealth. They were ſtill excluded from the office of Conſul, and from that of the prieſthood. They were debarred from intermarriage with the nobles by an expreſs law, which had been enacted, leſt the ſexes, from paſſion, forgetting diſtinctions, ſhould in this manner unite their different ranks; but being now, in ſome meaſure, by the late act in favour of the *Comitia* of the Tribes, become joint or rival ſovereigns of the State, they could not long acquieſce in theſe unequal conditions.

A few years after the reſtoration of the commonwealth, Canuleius, a Plebeian, being one of the Tribunes, moved the celebrated act which bears his name (*m*), to repeal the clauſe of the Twelve Tables which prohibited the intermarriage of Pa- U. C. 308.

(*i*) Senatûs Conſulta. (*k*) Leges. (*l*) Plebiſcita.
(*m*) Lex Canuleia. Liv. lib. iv. c. 1.

BOOK I. tricians and Plebeians. The other nine Tribunes joined at the ſame time in a claim of more importance—that the office of Conſul ſhould be laid open to all the different orders of the commonwealth, and might be held by Plebeians, as well as Patricians (*n*). The Senate, and the whole order of nobles, having for ſome time, by delays, and by involving the State, as uſual, in foreign wars, endeavoured to ſuſpend the determination of theſe queſtions, were at length obliged to gratify the people in the leſs material part of their pretenſions, reſpecting the intermarriage of different ranks, in order, if poſſible, to pacify them on the refuſal of the more important claim, which related to their capacity of being elected into the office of Conſul.

To elude their demands on this material point, it was obſerved, that of the ſacrifices and other duties belonging to the prieſthood, which, by the ſacred laws of religion, could be performed only by perſons of noble birth, many were to be performed by the Conſul, and could not, without profanation, be committed to any perſon of Plebeian extraction; and that, by this conſideration alone, the Plebeians muſt be for ever excluded from the dignity of Conſul. Superſtition, for the moſt part, being founded on cuſtom alone, no change can be made in the cuſtom, without appearing to deſtroy the religion that is founded upon it. This difficulty accordingly put a ſtop, for a while, to the haſty pace with which the Plebeians advanced to the Conſulate: but this obſtruction was at length removed, as many difficulties are removed in human affairs, by a ſlight evaſion, and by the mere change of a name. The title of Conſul being changed for that
U. C. 309. of Military Tribune, and no ſacerdotal function being included in the duties of this office, Ple-

(*n*) Dionyſ. Hal.

beians,

beians, though not qualified to be Consuls, were allowed to offer themselves as candidates, and to be elected Military Tribunes with consular power. In this manner the supposed profanation was avoided, and Plebeians were allowed to be qualified for the highest office of the State. The mere privilege, however, did not for a considerable time, enable any individual of that order to attain to the honour of first magistrate of the commonwealth. The Plebeians in a body had prevailed against the law which excluded them; but as separate candidates for office, still yielded the preference to the Patrician competitor; or, if a Plebeian were likely to prevail at any particular election of Military Tribunes, the Patricians had credit enough to have the nomination of Consuls revived in that instance, in order to disappoint their antagonists.

Together with the separation of the military and sacerdotal functions, which took place on this occasion, another change, more permanent and of greater moment, was effected. Ever since the institution of the Census, or muster, the inrolment of the people was become a principal object of the executive power. In the first ages it belonged to the King, together with all the other functions of state. In the sequel, it devolved on the Consuls; and they accordingly, at every period of five years, by the rules of this office, could dispose of every citizen's rank, assign him his class, place him in the rolls of the Senate, or on that of the Knights, or strike him off from either; and, by charging him with all the burdens of a subject, while they stript him of the privileges of a citizen, deprive him at once of his political consequence (*o*), and of his state as a Roman (*p*).

(*o*) Liv. lib. iv. c. 24.

(*p*) The citizens who came under this predicament were termed *Ærarii*.

These

BOOK II.

These regulations were accordingly enforced, not held up into public view merely to awe the people. The magistrate actually took an account of every citizen's estate, inquired into his character, and assigned him his place; promoted him to the Senate or to the Knighthood; degraded or disfranchised, according as he judged the party worthy or unworthy of his freedom, of the rank which he held, or of that to which he aspired in the commonwealth (*q*).

So important a trust committed to the discretion of an officer elected for a different purpose, took its rise in the simplicity of a rude age; but continued for a considerable period without any flagrant examples of abuse. It was, nevertheless, that branch of the consular magistracy which the Patricians were least willing to communicate or to share with the Plebeians. While they admitted them, therefore, to be elected Tribunes with consular power, they stipulated, that the charge of presiding in the Census, or musters, should be disjoined from it; and that, under the title of Censors, this charge should remain with persons of Patrician birth (*r*). They contended for this separation, not with a professed intention to reserve the office of Censor to their own order, but under pretence that persons invested with the consular power, being so frequently employed in the field against the enemies of the commonwealth, could not attend to the affairs of the city, or perform all the duties of Censor at their regular periods.

But whatever may have been the real motive for separating the department of Censor from that of Consul, the change appears to have been seasonably made, and may be considered as a striking example of that singular felicity with which the Romans, for some time, advanced in their policy,

(*q*) Liv. lib. iv. c. 24. (*r*) Ibid. c. 8.

as

as well as in their fortunes. Hitherto the Roman Consul, being a warrior, was chiefly intent on the glory he was to reap in the field, and to gain at the expence of the enemies of the State. He disdained to seize the advantages which he had in his power, in the capacity of a clerk or accountant entrusted with the Census, or inrolment of his fellow-citizens; nor does it appear that any peculiar attention was given to the choice of Consuls on the year of the Census, as being then vested with any dangerous measures of power. But considering the height at which party disputes were then arrived, and the great consequence of a citizen's rank and place on the rolls, it was no longer safe to entrust in the same hands the civil rights of the People, and the executive powers of the State. The Consul, being frequently raised to his station by party intrigues, and coming into power with the ardour of private ambition and of party zeal, might have easily, in the manner of making up the rolls of the people, gratified his own resentments, or that of his faction. The office of Consul, in his capacity of military leader, was naturally the province of youth, or of vigorous manhood; but that of Censor, when disjoined from it, fell as naturally into the hands of persons of great authority and experienced age; to whom, in the satiety of brighter honours, the People might safely entrust the estimate of their fortunes, and the assignment of their rank. In such hands it continued, for a considerable period, to be very faithfully discharged; and by connecting the dignities of Citizen, and the honours of the State, with private as well as public virtue, had the happiest effects on the manners of the People.

The number of Censors, like that of the Consuls, was limited to two; but that of the Consular Tribunes was left undetermined, and at successive elections was augmented from three to eight.

BOOK I. This has given occaſion to ſome hiſtorians, who are quoted by Livy, to aſcribe the inſtitution of this office, not to the importunity of the Plebeian party, but to the exigencies of the State; which being aſſailed by numerous enemies, and not having as yet deviſed the method of multiplying commanders, under the titles of Proconſul, were led to ſubſtitute officers of a different denomination, whoſe numbers might be increaſed at diſcretion. It is indeed probable, that, in the progreſs of this government, new inſtitutions, and the ſeparation of departments, were ſuggeſted no leſs by the multiplicity of growing affairs, than by the pretenſions of party, or by the ambition of ſeparate pretenders to power. In the firſt of thoſe ways, we are led to account for the inſtitution of the Plebeian Ediles, already mentioned; for that of the Præfectus Annonæ, or Inſpector of the Markets, together with the additions that were, in the courſe of theſe changes, continually made to the number of Quæſtors.

The Quæſtors had been long eſtabliſhed at Rome; they had charge of the public funds, and followed the Kings and the Conſuls as commiſſaries or proviſors in the field. During the buſy period which we have been now conſidering, their number was augmented from two to four; and the places were filled, for the moſt part, with Patri-
U. C. 333. cians, though not limited to perſons of this rank.

The Præfectus Annonæ, or Inſpector of the Markets, was an officer occaſionally named, on a proſpect of ſcarcity, to guard againſt famine, and to provide for the wants of the people. Rome was in fact a place of arms, or a military ſtation, often depending as much for ſubſiſtence on the foreſight and care of its officers, as on the courſe of its ordinary markets. Without a proper attention to this particular on the part of the State, the People were expoſed to ſuffer from ſcarcity. On the ap-

proaches

proaches of famine, they became mutinous and disorderly, and were ready to barter their freedom, and the constitution of their country, for bread. During the famine which first suggested the separation of this trust from that of the ordinary officers of State, Sp. Mælius, a Roman Knight, being possessed of great wealth, engrossed great quantities of corn; and having it in his power to supply the wants of the poor, endeavoured to form a dangerous party among them, and, by their means, to raise himself to the head of the commonwealth. The Senate took the alarm, and, as in the most dangerous crisis of the state, had recourse to the nomination of a Dictator. Mælius being cited to appear before him, and having refused to answer, was put to death.

CHAP. II. U.C. 313.

The care of supplying the people with corn, which had been at this time committed to L. Minucius, was from thenceforward entrusted to citizens of the first rank, and the office itself became necessary in the political establishment of the commonwealth.

Hitherto we have considered the Roman Republic as a scene of mere political deliberations and councils, prepared for contention, and seemingly unable to exert any united strength. The State, however, presented itself to the nations around it under a very different aspect, as a horde of warriors, who had made and preserved their acquisitions by force, and who never betrayed any signs of weakness in the foreign wars they had to maintain.

In their transition from monarchy to republic, indeed, there seems to have been a temporary intermission of national exertions. Private citizens, annually raised to the head of the republic, did not with their elevation acquire the dignity of princes; they did not command the same respect from their fellow-citizens at home, nor had the same consider-

BOOK I. ation from rival nations abroad. The frequent diſſentions of the people ſeemed to render them an eaſy prey to their enemies. During the life of Tarquin many powers united againſt them in behalf of the exiled king. They were ſtripped of their territory, confined to the walls of their city, and deſerted by their allies (s). The fortune of the State ſeemed to fall with its monarchy. The event, however, belied theſe appearances, and the power of the annual Magiſtracy ſoon became more formidable abroad, though leſs awful at home, than that of the Monarch. The republican government ſought for reſpite from domeſtic trouble in the midſt of foreign war, and the forces of the State, inſtead of being reſtrained, were impelled into action by inteſtine diviſions. The ambition with which the lower ranks of the people endeavoured to watch their ſuperiors, the ſolicitude with which the higher order endeavoured to preſerve its diſtinction, the exerciſe of ability which, in this conteſt, was common to both, enabled them to act againſt foreign enemies with a ſpirit that was whetted, but not worn out, in their domeſtic quarrels.

The conſuls annually elected, brought to the helm of affairs a freſh vigour of mind and continual ſupplies of renewed ambition. Every officer, on his acceſſion to the magiſtracy, was in haſte to diſtinguiſh his adminiſtration, and to merit his triumph; and numerous as the enemies of the Republic appeared, they were not ſufficient to furniſh every Roman Conſul, in his turn, with an opportunity to earn this envied diſtinction. It was given only to thoſe who obtained actual victories, and who killed a certain number of their enemies (t).

In this nurſery of warriors, honours, tending to excite ambition or to reward military merit, were not confined to the leaders of armies alone: The

(s) Dionyſ. Hal. lib. v. (t) Five thouſand in one field.

victorious

victorious ſoldier partook in the triumph of his leader, and had ſubordinate rewards proportioned to the proofs he had given of his valour. "I bear "the ſcars," ſaid Dentatus (while he pleaded for a ſhare in the conquered lands to himſelf and his fellow-ſoldiers), "of five and forty wounds, of "which twelve were received in one day. I have "carried many prizes of valour. Fourteen civic "crowns beſtowed upon me by thoſe I had ſaved "in battle. Three times the mural crown; hav-"ing been ſo often the firſt to ſcale the enemies "walls. Eight times the prize of diſtinction in "battle. Many tokens of eſteem and gratitude "from the hands of generals. Eighty-three chains "of gold, ſixty bracelets, eighteen lances, and "twenty-five ſets of horſe-furniture, from pri-"vate perſons, who were pleaſed to approve of "my ſervices (*u*)."

Under the influence of councils ſo fertile in the invention of military diſtinctions, and in armies of which the ſoldier was rouſed by ſo many incentives to military ambition, the frequent change of commanders, which is commonly impolitic, proved a perpetual renovation of the ardour and ſpirit with which armies were led. In public deliberations on the ſubject of war, the vehement ambition of individuals proved a continual incentive to vigorous reſolutions, by which the State not only ſoon recovered the conſequence which it ſeemed to have loſt in its tranſition from Monarchy, but was ſpeedily enabled to improve upon all its former advantages, as head of the Latin confederacy; frequently to vanquiſh the Sabines, the Hernici, the Volſci, and Etruſcans, and, in about a hundred years after the expulſion of Tarquin, to extend its dominion greatly beyond the territories which had been in the poſſeſſion of that prince. In one direction, from

(*u*) Dionyſ. Hal. lib. x. c. 36. vel p. 362.

BOOK I. U.C. 344. Falerium to Anxur, about ſixty miles; and in the other, from the ſummits of the Appenines to the ſea: And Rome, the metropolis of this little empire, was become, with a few competitors, one of the principal ſtates of Italy.

The firſt and neareſt object of its emulation at this period was Veiæ, an Etruſcan principality, of which the capital, ſituated about nine miles from Rome, was built on an eminence, and ſecured by precipices.

The Romans, even before the change of their government from the form of a principality to that of a republic, had been in poſſeſſion of the Tiber and both its banks; but on the right of this river were ſtill circumſcribed by the Veiæntes, with whom they had waged long and deſperate wars; and, as may be ſuppoſed among rivals in ſo cloſe a neighbourhood, with imminent danger to both. Veiæ, according to Dionyſius, was equal in extent to Athens, and, like the other Etruſcan cantons, was further advanced than Rome in the arts of peace, probably better provided with the reſources of war, but inferior in the magnanimity of its councils and in the courage of its people. The Veiæntes being, after a variety of ſtruggles, beat from the field, they retired within their walls, ſuffered themſelves to be inveſted, and underwent a ſiege or blockade of ten years. The Romans, in order to reduce them, continued during thoſe ten years in the field, without any interruption or diſtinction of ſeaſons; made ſecure approaches, fortifying themſelves in the poſts which they ſucceſſively occupied, and in the end entered the place U.C. 357. by ſtorm.

In theſe operations, we are told, that they learned to make war with more regularity than they had formerly practiſed; and having, ſome little time before, appointed a military pay for ſuch of their people as ſerved on foot, they at this time extended

the

the ſame eſtabliſhment to their horſemen or knights; impoſed taxes on the people in order to defray this expence, and made other arrangements, which ſoon after enabled them to carry their enterprizes to a greater diſtance, and to conduct them with more order and ſyſtem: circumſtances which, together with the acceſſions of territory and power, gained by the reduction of Veiæ, rendered this event a remarkable epocha in the hiſtory of Rome.

The uſe which they propoſed to make of their conqueſt was partly founded in the original policy of the State. The practice of incorporating vanquiſhed enemies, indeed, with the Roman people, had been long diſcontinued: for even Tarquin, it is ſaid, had introduced the cuſtom of enſlaving captives, and this fate the citizens of Veiæ underwent (*x*); but their lands, and the city itſelf, offered a tempting prize to the conquerors. And accordingly it was propoſed to tranſplant into thoſe vacant poſſeſſions and ſeats one half of the Roman Senate and people (*y*).

This propoſal was extremely acceptable to perſons of inferior condition, who hoped to double their poſſeſſions, and flattered themſelves that they might double the power of the State: but it was ſtrenuouſly oppoſed by the Senate and Nobles, as tending to divide and weaken the commonwealth, and as more likely to reſtore a rival than to ſtrengthen themſelves. It was eluded by a partial diviſion of the Veiæan territory, in which ſeven *jugera*, or about four Engliſh acres, were aſſigned as the lot of a family; and by theſe means the more indigent citizens were provided for, without any hazard of diſmembering the ſtate.

But while the Romans were thus availing themſelves of the ſpoils of a fallen enemy, and probably enjoying, on the extinction of their rival, a more

(*x*) Liv. lib. v. c. 22. (*y*) Ibid. lib. v. c. 24.

BOOK I. than common degree of imagined ſecurity, they became themſelves an example of the inſtability of human affairs; being aſſailed by a new and unlooked-for enemy, who came like a ſtroke of lightning on their ſettlement, diſperſed their people, and reduced their habitations to aſhes.

The Gauls, who are ſaid to have paſſed the Alps in three ſeveral migrations about two hundred years before this date, being now maſters of all the plains on the Po, and of all the coaſts of the Adriatic to the banks of the river Sena, where they had a ſettlement, which, from their name, was called Sena Gallia; and being ſtill bent on extending their poſſeſſions, or ſhifting their habitations, had paſſed the Appenines, and laid ſiege to Cluſium, the capital of a ſmall nation in Tuſcany (z). The inhabitants of this place made application to the Romans for ſuccour; but could obtain no more than a deputation to intercede with the Gauls in their behalf. The deputies who were ſent on this buſineſs, and commiſſioned to act only as mediators, having appeared in arms on the ſide of the beſieged, the Gauls complained of their conduct as a breach of faith, and as a departure from the neutrality which the Romans profeſſed: And being denied ſatisfaction on this complaint, they dropped their deſign on Cluſium, and turned their arms againſt theſe mediators, who had violated the laws of war. They advanced on the left of the Tiber, found the Romans poſted to receive them on the Allia, a ſmall river which was the limit of the Roman territory, in the country of the Sabines, about ten miles from Rome; and, with the ſame impetuoſity which hitherto attended them, they paſſed the Allia on the right of the Roman army, drove them into the angle that is formed by the confluence of the two rivers, put all who withſtood them to the

(z) Liv. lib. v. c. 35, &c.

ſword,

ſword, and forced the remainder into the Tiber, where numbers periſhed, or, being cut off from their retreat to Rome, were diſperſed in the neighbouring country. CHAP. II.

This calamity is ſaid to have ſo much ſtunned or overwhelmed the Roman people, that they made no farther attempt to defend their city. All the youth that were fit to carry arms retired into the Capitol. The weak or infirm, whether from ſex or age, fled as from a place condemned to deſtruction, or ſuffered themſelves to be ſurpriſed and cut off in the ſtreets. U. C. 363.

The Gauls, having employed three days in the purſuit and ſlaughter of thoſe who fled from the field of battle, on the fourth day advanced towards the walls of Rome. But being alarmed at firſt by the general deſertion of the battlements, which they miſtook for an ambuſcade or an artifice to draw them into a ſnare, they examined all the avenues with care before they ventured to enter the gates. The more effectually to diſlodge every enemy, they ſet fire to the city, reduced it to aſhes, and took poſt on the ruins, in order to beſiege the Capitol, which alone held out *(a)*. In this ſtate of affairs, the republic, already ſo formidable to all its neighbours, was ſuppoſed to be extinguiſhed for ever. The fame of its ruin reached even to Greece, where Rome began to be conſidered at this time as a riſing and proſperous commonwealth *(b)*.

The Gauls remained in poſſeſſion of the ruins for ſix months; during which time they made a fruitleſs attempt to ſcale the rock on which the Capitol was built; and being repulſed by Manlius, who, for his vigilance and valour on this occaſion, acquired the name of Capitolinus, they continued to inveſt and block up the fortreſs, in hopes of being able to reduce it by famine. The Romans,

(*a*) Plutarch, in vit. Camilli. (*b*) Ibid.

BOOK I. who were ſhut up in the Capitol, ſtill preſerved the forms of their commonwealth, and made acts in the name of the Senate and People. Senſible that Camillus, under whoſe auſpices they had reduced the city of Veiæ, and triumphed over many other enemies, now in exile on the ſcore of an invidious charge of embezzling the ſpoils he had won at that place, was the fitteſt perſon to retrieve their affairs; they abſolved him of this accuſation, reinſtated him in the qualification to command their armies *(c)*; and, in order that he might aſſemble their allies and collect the remains of their late army, which was diſperſed in the neighbouring country, veſted him with the power of dictator. In this extremity of their fortunes, he overlooked his wrongs, procured numbers to reſort to his ſtandard, and haſtened to arm for the preſervation of his country. He came to the relief of the Capitol at a critical moment, when the beſieged, being greatly reduced by famine, had already capitulated, and were paying a ranſom for themſelves and their remaining effects. Before this tranſaction was completed, he ſurpriſed the beſiegers, obliged them to relinquiſh their prize, and afterwards, in a deciſive battle that was fought in the neighbourhood of Rome, revenged the diſaſter which his countrymen had ſuffered on the banks of the Allia *(d)*.

Whatever may have been the true account of this famous adventure, the Romans have given it a place in their hiſtory, retained a deep impreſſion of their danger from the Gauls, and from thence dated the origin of ſome particulars in their policy, which ſeem to have ariſen from ſuch an impreſſion. They ſet apart particular funds in the treaſury, to be ſpared in all other poſſible exigencies of the State, and reſerved for a reſource in caſe of a Gauliſh invaſion. They ſubjected the magiſtrate

(*c*) Liv. lib. v. c. 32. (*d*) Ibid. lib. v. c. 43, &c.

to

to certain general restrictions, but allowed an exception in case of an invasion from the Gauls; and it is likely that, in the age in which they took these alarming impressions, they had not yet acquired those advantages of discipline and military skill, in which they were afterwards so much superior to the Gauls and other barbarous neighbours (*e*).

Although historians have amply supplied the detail of history before this event, they nevertheless acknowledge, that all prior evidence of facts perished in the destruction of Rome; that all records and monuments of what the Romans had formerly been, were then to be gathered from the ruins of cottages, which had been for several months trodden under foot by a barbarous enemy; that the laws of the Twelve Tables, the People's Charters of Right, and the Forms of the Constitution, were to be collected in fragments of plates which were dug from the rubbish of their former habitations; and that nothing remaining to mark the former position of Rome, besides the Capitol, raised on its rock, and surrounded with ruins, the people deliberated whether they should attempt to renew their settlement on this ground, or transfer it to Veiæ. It had been formerly proposed to remove to that place one half of the Senate and people. It was then proposed, that they should chuse that as the proper ground on which to restore the name and the seat of their commonwealth. "Why," said the promoters of this design, "attempt at a great expence, and with so much labour, to clear out "the wretched ruins of a fallen city, while we

(*e*) The establishment of the Legion, and the improvement made in the choice of its weapons and manner of array, are mentioned as subsequent to this date: And the Romans, it is confessed, made less progress in every other art than in that of war. Their general, Camillus, at his triumph for the victory obtained over the Gauls, made his entry into Rome, having his visage painted with red; a practice, says Pliny, which is yet to be found among nations of Africa, who remain in a state of barbarity, and which this natural historian was inclined to consider as a characteristic of barbarous manners.

" have another, provided with private and public " buildings of every ſort, yet entire for our reception? To this ſpecious argument might have been oppoſed the conſideration of many advantages in their former ſituation; its place on a navigable river, its command of the paſſage from Latium to Etruria, and of the navigation of the Tiber from the deſcents of the Appenines to the ſea. But motives of ſuperſtition and national pride were ſuppoſed to be of greater weight. " Would you," ſaid Camillus, " abandon the ſeats of your anceſtors? Would you have Veiæ reſtored, and Rome " to periſh for ever? Would you relinquiſh the altars of the Gods, who have fixed their ſhrines in " theſe ſacred places; to whoſe aid you are indebted for ſo many triumphs, and to whom you " owe the conqueſt of thoſe habitations for which " you now propoſe to forſake their temples?"

Convinced by this argument, the Romans determined to remain in their antient ſituation, proceeded to reſtore their habitations, and, in the courſe of a year, accompliſhed the work of rebuilding their city. An Æra from which, as from a ſecond foundation, may be dated the riſe of the commonwealth, and the beginning of a period, in which its hiſtory, though ſtill controverted in ſome particulars, is leſs doubtful than before, or leſs diſfigured with fable *(f)*.

(f) Some parts, even of the hiſtory that follows, are doubtful. The names of Dictators and of Conſuls, the reality of entire campaigns, as well as of ſingle actions, are controverted (Liv. lib. i. c. 5. & 26. lib. v. c. 55. lib. viii. c. 38. lib. ix. c. 15.): But that which preceded this date reſts almoſt on tradition alone (Liv. lib. vi. c. i.). It ſerves, however, to inform us what the Romans themſelves believed; and is therefore the beſt comment we can have on the genius and tendency, as well as the origin, of their political inſtitutions.

CHAP. III.

Scene of foreign War and domeſtic Diſpute opened with reviving Rome.—Faction or Conſpiracy of Manlius.—Condemnation.—Plebeians elected into the Office of Conſular Tribunes.—Aſpire to the Conſulate.—The firſt Plebeian Conſul.—Eſtabliſhment of the Prætor.—Patrician Ediles.—The Plebeians qualified to hold all the Offices of State.—The Meaſure of Roman Magiſtracy complete.—Review of the Conſtitution.—Its ſeeming Defects.—But great Succeſſes.—Policy of the State reſpecting foreign or vanquiſhed Nations.—Formation of the Legion.—Series of Wars.—With the Samnites, Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different Footing on which the Inhabitants ſtood.

CHAP. III. U. C. 365.

THE Romans were not allowed to reſtore their community, nor to rebuild their habitations, in peace. They were invaded by the Equi, the Volſci, the Hernici, the Etruſcans, and ſome of their own Latin confederates *(g)*; who dreading the re-eſtabliſhment of a commonwealth, from which they had already ſuffered ſo much, and whoſe power was ſo great an object of their jealouſy, made every effort to prevent it. During a period of one hundred and ſeventeen years which followed, they accordingly had to encounter a ſucceſſion of enemies, in ſubduing of whom they became the ſovereigns of Italy; while they continued to undergo internal convulſions, which, as formerly, proved the birth of political inſtitutions, and filled up the meaſure of their national eſtabliſhment.

(g) Liv. lib. vi. c. 2. & 16.

During

BOOK I.

During this period, the Plebeians, far from being ſatisfied with their paſt acquiſitions, made continual efforts to extend their privileges. The Tribunes, by traducing the Senate, and by diſplaying, in their harangues, the ſeverities of the Patrician creditor, and the ſufferings of the Plebeian debtor, ſtill enflamed the animoſity of their party. The republic itſelf was ſo feebly eſtabliſhed, that ambitious citizens were encouraged, by means of faction raiſed among perſons of the lower claſs, to have thoughts of ſubverting the government. In this manner Manlius, the famous champion of the Capitol, who, as has been obſerved, by his vigilance and valour, preſerved that fortreſs from the Gauls, formed a deſign to uſurp the ſovereignty. Preſuming on his merit in this and other ſervices, he thought himſelf above the laws; and endeavouring, by his intrigues with the populace, to form a party againſt the State, he incurred, what was at Rome of all imputations the moſt deteſted, that of aſpiring to be King. In oppoſition to this conſpiracy, whether real or fictitious, the republic was committed to the care of a Dictator; and Manlius being brought before him, endeavoured to turn the ſuſpicion of malice and envy againſt his accuſers. He produced four hundred citizens, whom he had redeemed from their creditors and releaſed from chains. He produced the ſpoils of thirty enemies ſlain by himſelf in battle; forty badges of honour conferred on him by generals under whom he had ſerved; many citizens whom he had reſcued from the enemy, and in the number of thoſe he had ſaved, he pointed at Caius Servilius, ſecond in command to the Dictator, who now carried the ſword of the State againſt the life of a perſon who had ſaved his own. And in the concluſion of his defence, "Such were the treaſons," he ſaid, "for which "the friends of the People were to be ſacrificed to "the Senate."

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His merits in the public ſervice were great, and intitled him to any reward from the people, except a ſurrender of their liberties. His liberality to the more indigent citizens, if it proceeded from humanity, was noble; but if it proceeded from a deſign to alienate their affections from the public, or tranſfer them to himſelf, was a crime; and the moſt ſplendid ſervices, conſidered as the artifices of a dangerous ambition, were the objects of puniſhment, not of reward. CHAP. III.

The people, it is ſaid, while they had in their view the Capitol, which had been ſaved by the vigilance and bravery of this unfortunate criminal, heſitated in their judgment; but their meeting being adjourned to the following day, and to a different place, they condemned him to be thrown from the rock on which he had ſo lately ſignalized his valour *(h)*.

Such alarms to the general ſtate of the commonwealth, had their temporary effect in ſuſpending the animoſity of parties; but could not reconcile their intereſts, nor prevent the periodical heats which continually aroſe on the return of diſputes. The Plebeians had been now above forty years in U.C. 366. poſſeſſion of a title to hold the office of Conſular Tribune, but had not been able to prevail at any election *(i)*. The majority of the Centuries were ſtill compoſed of Patricians; and when candidates of Plebeian rank were likely, by their perſonal conſideration, to carry a majority, the other party, in ſuch particular inſtances, had influence enough, as has been obſerved, to revive the election of conſuls, a title from which the Plebeians, by Law, were ſtill excluded.

The Plebeians, however, by the zeal of their party, by the aſſiduity and influence of individuals who aſpired to office, by the increaſe of their num-

(*h*) Liv. lib. vi. c. 27. (*i*) Ibid. lib. vi. c. 37.

BOOK I. bers in the firſt and ſecond claſſes, by their alliance with the Patrician families in conſequence of marriage, at laſt ſurmounted theſe difficulties, obtained the dignity of Conſular Tribune for one of their own order, and from thenceforward began to divide the votes of the Centuries with the Patrician candidates. They were accordingly raiſed in their turn to what was then the firſt office of the State, and in which nothing was wanting but the title of Conſul. To this too they were ſoon led to aſpire; and were urged to make the concluding ſtep in the riſe of their order, by the ambition of a female Patrician; who, being married into a Plebeian family, bore with impatience the mortifications to which ſhe was expoſed in the condition of her new relations. She excited her huſband, ſhe engaged her own kindred among the Patricians, ſhe rouſed the whole Plebeian party to remove the indignities which yet remained affixed to their race, in being ſuppoſed unworthy to hold the conſular dignity.

U. C. 377. Licinius Stolo, the huſband of this lady, and Publius Sextius, another active and ambitious Plebeian, were placed in the College of Tribunes, in order to urge this point. They began the exerciſe of their office by propoſing three very important laws: The firſt intended for the relief of inſolvent debtors; by which all payments made on the ſcore of intereſt, ſhould be deducted from the capital, and three years be allowed to pay off the remainder.

A ſecond law to limit the extent of eſtates in land, by which no citizen ſhould be allowed to engroſs above five hundred Jugera *(k)*, or to have in ſtock above one hundred bullocks, and five hundred goats and ſheep.

A third law to reſtore the election of Conſuls, in place of Conſular Tribunes, with an expreſs provi-

(*k*) About 300 Engliſh Acres.

ſion

fion that, at leaft, one of the Confuls fhould be of Plebeian defcent. CHAP. III.

The Patricians, having gained fome of the Tribunes to their party, prevailed upon them to diffent from their colleagues, and to fufpend, by their negatives, all proceedings on the fubject of thefe laws. The Tribunes, Licinius and Sextius, in their turn, fufpended the ufual election of magiftrates, and put a ftop to all the ordinary affairs of State.

An anarchy of five years enfued (*l*), during which time the republic, bereft of all its officers, had no magiftracy, befides the Tribunes of the People, who were not legally vefted with any degree of executive power (*m*). Any alarm from abroad muft have fufpended the conteft at home, and forced the parties to a treaty: but they are faid to have enjoyed, in this ftate of domeftic trouble, uninterrupted peace with their neighbours; a circumftance from which we may infer, that, in moft of their wars, they were themfelves the aggreffors, and owed this interval of peace to the vacancy of the Confulate, and to their want of the prompters, by whom they were ufually excited to quarrel with their neighbours.

In the feveral queftions, on which the parties were now at variance, the Patricians contended chiefly for the exclufion of Plebeians from the office or title of Conful; and, as an infuperable bar to their admiffion, ftill infifted on the facrilegious profanation that would be incurred, by fuffering the rites ufually performed by the Confuls, to pafs into Plebeian hands. This argument, inftead of perfuading the popular leaders to defift from their claim, only made them fenfible that it was neceffary to remove this impediment by a previous operation, before they attempted to pafs through the

(*l*) From U. C. 377 to 382. (*m*) Liv. lib. vi. c. 35.

BOOK I. way which it was meant to obstruct. They appeared then for a little to drop their pursuit of the Consulate; they affected to respect the claim of the Patricians, to retain the possessions of places which had always been assigned to their order. But they moved, that the number of ordinary attendants on the sacred rites should be augmented from two to ten; and that of these one half should be named of Plebeian extraction.

While the Patricians continued to reject this proposal, on account of the effect it was likely to have on their pretensions in general, they gave way successively; and, at the interval of some years, first to the acts that were devised in favour of insolvent debtors; next, to the Agrarian law, or limitation of property in land; and last of all, to the new establishment relating to the priesthood, and to the communication of the Consulate itself to persons of Plebeian rank.

The authors of the new regulations, knowing that the majority of the Centuries was composed of Patricians, or was still under the influence of that order, were not satisfied with the mere privilege of being qualified to stand for the Consulate. They insisted, that at least one of the Consuls should be a Plebeian; and having prevailed in this, as in the other contested points, the Plebeian party entered immediately on the possession of their new privilege,
U. C. 387. and raised Publius Sextius, the Tribune, who had been so active in the cause of his constituents, to the office of Consul.

But while the Patricians thus incurred a repeated diminution of their exclusive prerogatives, they endeavoured, by separating the judicative from the executive power of the Consul, and by committing the first to a Patrician officer, under the title of Prætor, to save a part from the general wreck.

It was intended that the Prætor should be subordinate, but next in rank, to the Consul. He was attended

attended by two Lictors, and had his commission in very general terms, to judge of all differences that should be brought before him, and to hear the suits of the people until the setting of the sun. This unlimited jurisdiction, as we shall have occasion to observe, came to be gradually circumscribed by its own precedents, and by the accumulating edicts of successive Prætors. One person at first was supposed able to discharge all the duties of this office; but the number, in order to keep pace with the growing multiplicity of civil affairs, was afterwards gradually increased.

Another political change, by which the Patricians procured some compensation for what they had now surrendered, was made about the same time. The care of the public shows and entertainments had hitherto belonged to the Ediles of the People. The office of Edile being at its first institution expensive, was likely to become gradually more so by the frequent additions which were made to the festivals, and by the growing demands of the people for shows and amusements. The Plebeians complained of this charge as a burden on their order, and the opposite party offered to relieve them of it, provided that two officers for this purpose, under the title of Curile Ediles, should be annually elected from among the Patricians (*n*).

By these institutions the Nobles, while they admitted the Plebeians to partake in the dignity of Consul, reserved to their own order the exclusive right to the offices of Prætor and Edile: By the last of which they had the direction of sports and public entertainments; a station which, in a state that was coming gradually under the government of popular assemblies, became, in process of time, a great object of ambition, and a principal access to power.

(*n*) Liv. lib. vi. c. 42.

BOOK I. The design or the effect of this institution did not escape the notice of the Plebeian party. They complained, that while the Patricians affected to resign the exclusive title to one office, they had engrossed two others, inferior only in name, equal in consideration and influence. But no exclusive advantage could be long retained by one order, while the other was occasionally possessed of the legislative and supreme executive power. All the offices, whether of Prætor or Edile, of Dictator or Censor, were, in process of time, filled with persons of either rank; and the distinction of Patrician or Plebeian became merely nominal, or served as a monument of the aristocracy which had subsisted in former ages. The only effect which it now had was favourable to the Plebeians; as it limited the choice of Tribunes to their own order, while, in common with the Patricians, they had access to every other dignity in the State.

U. C. 417.

Review of the constitution.

Such is the account which historians have given us of the origin and progress of the Roman constitution. This horde, in the earliest account of it, presented a distinction of ranks, under the titles of Patrician, Equestrian, and Plebeian; and the State, though governed by a prince, had occasional or ordinary assemblies, by which it approached to the form of a republic. Assemblies to which every citizen was admitted were termed the *Comitia*; those which were formed of the superior ranks, or of a select number, were termed the Senate. Among those who had attained the age of manhood, to be Noble and to be of the Senate were probably synonymous terms. But after the introduction of the Census, separate rolls were kept for the Senate, the Equestrian Order, and the People. These rolls were composed by different officers in successive periods of the State. A Senate was composed of a hundred members by Romu-

Romulus *(o)*. This number was augmented or diminiſhed at pleaſure by his ſucceſſors. The Conſuls ſucceeded in this matter to the prerogative of the Kings; and the Cenſors were appointed to exerciſe it, with the other duties of the Cenſus, as a principal part of their functions. It is remarkable, that, notwithſtanding the great importance of the Senate in the government of their country, ſo little precaution was taken to aſcertain who were to be its conſtituent members, or to fix their legal number. The body was accordingly fluctuating. Individuals were placed or diſplaced at the diſcretion of the officer entruſted with the muſter, and the numbers of the whole increaſed or diminiſhed indefinitely. The officers of State, though not enrolled, had acceſs to the Senate; but their continuing members, after their year in office expired, depended on the diſcretion of the Cenſors. It ſeemed to be ſufficient for the purpoſes of this conſtitution, that the Senate ſhould be a meeting of the ſuperior claſs of the citizens.

CHAP. III.

Recapitulation.

As the noble and popular Aſſemblies had their exiſtence under the Kings, the tranſition from monarchy to republic in ſo ſmall a State, by ſubſtituting elective and temporary Magiſtrates in place of the King, was eaſy. A ſufficient occaſion was given to it in the abuſes which were felt in the laſt reign of the monarchy. The diſorders incident to the ſhock of parties, who were ſet free from a former controul, required, on occaſion, the remedy of a diſcretionary authority veſted in ſome perſon who might be entruſted with the public ſafety, and ſoon led to the occaſional inſtitution of a dictatorial power. The high prerogatives claimed and main-

(*o*) Liv. lib. i. c. 8. According to Livy the Senate conſiſted of no more than a hundred members at the death of Romulus; but, according to Dionyſius, their numbers had been augmented by a popular election at the admiſſion of the Sabines; ſome writers ſay to two hundred; others, only to one hundred and fifty. Dionyſ. lib. ii. c. 47.

tained

BOOK I. tained by one party, obliged the other to aſſume a poſture of defence, and to place themſelves under the conduct of leaders properly authoriſed to vindicate their rights. Theſe rights were underſtood by degrees to imply equality, and, in the ſucceſſive inſtitutions that followed, put every citizen in poſſeſſion of equal pretenſions to preferment and honours; pretenſions which were to be limited only by the great diſtinction which Nature has made between the capacities, merits, and characters of men, and which are ſubject, in every community, to be warped by the effects of education and fortune.

New departments of State, or additions to the number of officers employed in them, were continually ſuggeſted by the increaſe of civil affairs; and while the territory of the republic was but a ſmall part of Italy, the meaſure of her political government was full, and the liſt of her officers complete. Functions which, in the firſt or ſimpleſt ages, were either unknown or had been committed to the King alone, were now thrown into ſeparate lots or departments, and furniſhed their ſeveral occupations to two Conſuls, one Prætor, two Cenſors, four Ediles, and eight Quæſtors, beſides officers of theſe different ranks, who, with the titles of Proconſul, Proprætor, and Proquæſtor, and without any limitation of number, were employed wherever the exigencies of the State required their ſervice.

In this account of the Roman conſtitution we are come nearly to that ſtate of its maturity (*p*) at which Polybius began to obſerve and to admire the felicity of its inſtitutions, and the order of its adminiſtration. The Plebeians were now reconciled to a government to which they themſelves had acceſs, and citizens of every rank made great efforts

(*p*) As it ſtood in the fifth and ſixth centuries of Rome.

of induſtry in a State in which men were allowed to arrive at eminence, not only by advantages of fortune, but likewiſe by perſonal qualities. The Senate and Aſſemblies of the People, the Magiſtrates and Select Commiſſioners, had each their departments, which they adminiſtered with an appearance of ſovereign and abſolute ſway, and without any interfering of intereſts or jealouſy of power.

The Conſuls were deſtined to the command of armies; but, while at Rome, ſeemed to have the higheſt prerogatives in the adminiſtration of all civil and political affairs. They had under their command all the other officers of State, except the Tribunes of the People; they introduced all foreign ambaſſadors; and they alone could move the Senate on any ſubject of deliberation, and put their acts or determinations in writing. The Conſuls, too, preſided with a ſimilar prerogative in the Aſſembly of the Centuries and in that of the Curiæ, propoſed the queſtion, collected the votes, declared the majority, and framed the act. In all military preparations, in making their levies as well as in the command of the army, they were veſted with high degrees of diſcretionary power (*q*) over all the troops of the commonwealth, compoſed of Roman citizens or allies. They commanded the treaſury, as far as neceſſary to the ſervice on which they were employed, and had one of its Commiſſioners, or Quæſtors, appointed to attend their court, and to receive their orders.

The Senate, however, had the ordinary adminiſtration of the revenue, took account of its receipts and diſburſements, and ſuffered no money to be iſſued without their own decree, or the warrant of the Conſul in actual ſervice. Even the money de-

(*q*) Vid. Zonar. N° 501. Frontini Stragemata, lib. iv. Val. Max. lib. ii. c. 7.

creed

creed by the Cenſors for the repair of public buildings, and the execution of public works, could not be iſſued by the Quæſtors without an act of the Senate to authoriſe it. All crimes and diſorders that were committed among the free inhabitants of Italy, or municipal allies of the State, all diſputes of a private or public nature that aroſe among them, came under the juriſdiction and determination of the Senate. All foreign embaſſies were received or diſpatched, and all negociations were conducted, by this body. In ſuch matters the People did no more than affirm or reverſe what the Senate, after mature deliberation, had decreed, and for the moſt part gave their conſent as a matter of form; inſomuch, that while perſons, who obſerved the high executive powers of the Conſul, conſidered the State as monarchical; foreigners, on the contrary, who reſorted on public buſineſs to Rome, were apt to believe it an ariſtocracy veſted in the Senate.

The People, notwithſtanding, had reſerved the ſovereignty to themſelves, and, in their ſeveral aſſemblies, exerciſed the powers of legiſlation, and conferred all the offices of State *(r)*. They likewiſe, in all criminal matters, held the ſupreme juriſdiction. In their capacity of ſovereign, they were the ſole arbiters of life and death; and, even in their capacity of ſubjects, did not ſubmit to reſtraints which, in every other State, are found neceſſary to government.

A citizen while accuſed of any crime, continued at liberty until ſentence was given againſt him, and might withdraw from his proſecutors at any ſtage of the trial, even while the laſt Century was delivering its votes. A voluntary baniſhment from the Forum, from the meetings of the Senate, and the

(r) In the Centuries they enacted laws, and elected the officers of State, in the Curiæ they appointed officers to military command.

aſſemblies

assemblies of the People, was the highest punishment, which any citizen, unless he remained to expose himself to the effects of a formal sentence, was obliged to undergo; and it was expresly stipulated, that, even at Tibur or Præneste, a few miles from Rome, a convict who had withdrawn from judgment should be safe (*s*). CHAP. III.

Parts so detached were not likely to act as one body, nor to proceed with any regular concert; and the State seems to have carried, in all its establishments, the seeds of dissention and tumult. It was long supported, nevertheless, by the uncommon zeal of its members in favour of a commonwealth in which they enjoyed so much freedom, and in which they were vested with so much personal consequence.

The several members of the constitution, while in appearance supreme, were in many respects dependent on each other.

The Consuls, while in office, had the meetings and determinations of the Senate and People, in a great measure, in their power; but they received this power from the People, and were accountable for the discharge of it at the expiration of their office.

The Senate could resolve, but they could not execute, until they had obtained from the People a confirmation of their acts, and were obliged to solicit the Tribunes for leave to proceed in any matter which these officers were inclined to oppose.

The Senate was constituted, or formed, at regular periods, at the discretion of the Consuls or Censors, officers named by the People.

(*s*) The laws of Publilius, which gave the power of legislation to the Plebeian Assemblies, and that of Valerius, which secured every citizen in the right of appeal to the People at large, after being repeatedly re-enacted, were now in full force (Liv. lib. x. c. 8.).

BOOK I.

The city, neverthelefs, was over-awed by the Senate and officers of State. On great and alarming occafions, the People themfelves were no longer fovereigns than they were allowed by the Senate and Confuls to hold this character. The Senate and Confuls having it in their power to name a Dictator, could at once transfer the fovereignty of the State to a fingle perfon, and fubject every citizen to his authority. Every individual held his place on the rolls at the will of the Cenfors, and his property at the difpofal of courts that were compofed of Senators; the fervants of the Public in general, who aimed at lucrative commiffions, depended on the Senate, as adminiftrators of the treafury, and truftees in the collection or difburfements of the public money (*t*); and every Roman youth, when embodied in the legions, entrufted his honours and his life in the hands of the Conful, or Commander in Chief (*u*).

The mafs, however, was far from being fo well compacted, or the unity of power fo well eftablifhed, as fpeculative reafoners fometimes think neceffary for the order of government. The Senate and the popular Affemblies, in their legiflative capacities, counteracted one another. The numbers required to conftitute a legal Affembly of the People, the qualification of a citizen which intitled him to be confidered as a member of the common-

(*t*) The influence which the Senate poffeffed as adminiftrators of the public treafury, according to Polybius, was very great. They had a number of commiffions to give, in the collection of various duties levied on the navigators of rivers, the entry to fea-ports, the produce of mines, and demefne or public lands, chiefly let out for pafturage. They had likewife confiderable difburfements on the repair of highways and public buildings, and in the execution of a variety of other works. In fuch tranfactions great numbers of people were concerned, as contractors, as partners with thofe who contracted with the Senate, or as creditors who advanced money to enable the contractors to perform their articles. In all thefe feveral capacities the parties depended on the will of the Senate, and continually attended at the doors of that affembly, foliciting commiffions, pleading for an abatement of fome condition, for delay in the execution of fome article or relief in the cafe of unforefeen hardfhip or lofs.

(*u*) Polyb. lib. vi. c. 10, 11, 12, 13, 14.

wealth,

wealth, were ſtill undetermined. Aliens ſettling at Rome were admitted on the rolls of the People, and citizens removing to the colonies were omitted. Laws, therefore, might be obtained in a clandeſtine manner, when the People, not ſufficiently aware of the conſequence of ſuch laws, did not attend; or the queſtion might be determined by the voice of a ſingle alien, as often as the diviſion was nearly equal, and a deſigning magiſtrate choſe to place any number of aliens on the rolls for this purpoſe (*x*). The State took its laws, not only from the

(*x*) In the ſettlement of Romulus, recruits of every quality, whether outlaws, fugitives, or captives, were received without diſtinction.—In the firſt ages of the republic, aliens ſettling at Rome were admitted as citizens, and even placed on the rolls of the Senate.—The Tarquins, and the firſt of the Claudian family, were emigrants from the neighbouring cantons.—After the eſtabliſhment of the Cenſus or periodical muſter, the King, the Conſuls, and, laſt of all, the Cenſors, made up the rolls of the Senate and People at pleaſure. They admitted upon it very readily every inhabitant of the city who claimed to be inrolled; but when a right of voting in any of the popular aſſemblies at Rome came to be conſidered as a privilege of moment, the inhabitants of Latium crowded to Rome in order to obtain it. They were ſometimes put upon the rolls by one Conſul, and forbid the city by his colleague; and in every ſuch caſe the negative, by a maxim of the Roman policy, prevailed.—Such as actually ſettled at Rome, ſooner or later found means to be inſerted in the Tribes; and the towns of Latium complained, that they were deſerted by numbers of their people, who reſorted to Rome for this purpoſe, and that they were likely to be depopulated. They obtained a law, by which Latin emigrants were excluded from the rolls of the Roman People, except they had left offſpring to replace them in the country towns they had left. And this ſeems to have been the firſt law enacted at Rome to regulate or reſtrain the naturalization of aliens. Some authors have affirmed, that, even while aliens were ſo eaſily admitted on the rolls of the People, Roman citizens, accepting of ſettlements in the colonies, forfeited their political rights. In this, however, it is probable, that the effects of mere abſence have been miſtaken for an expreſs and formal excluſion. Whoever ceaſed to give in his name at the Cenſus, or whoever left his ward or tribe in the city to reſide at a diſtance, was not inrolled in the ward, nor placed in any claſs. It did not follow, however, that he had forfeited his right, or might not claim it as often as he attended the Cenſus. In this caſe he was upon a foot of equality with every other citizen, and in the ſame manner received or rejected at the will of the Cenſor, or other officer who took the muſter.

In this account of the Roman colonies, writers have followed the account of Sigonius, whoſe opinion, in every circumſtance relating to the Roman hiſtory, is of great authority. In this particular, however, it happens, that the principal paſſage he has quoted in ſupport of his opinion, is by ſome accident ſtrangely perverted. Livy relates, lib. xxxiv. c. 42. that the people of Ferentinum, in the year of Rome five hundred and fifty-ſeven, ſtarted a new pretenſion, by which all Latins who gave their names to be inſcribed in any Roman colony ſhould be conſidered as Roman citizens; but that the Senate

BOOK I. the Aſſemblies, which were held, however irregularly, within the capital, but from military detachments and armies, when abroad in the field (*y*). Yet, under all theſe defects, as we have repeated occaſions to obſerve, they enjoyed the moſt envied diſtinction of nations, continual proſperity, and an almoſt uninterrupted ſucceſſion of

Senate rejected this claim when offered by perſons who were annexed to the colonies of Puteoli, Salernum, and Buxentum. *Novum jus eo anno a Ferentinatibus tentatum, ut Latini, qui in coloniam Romanam nomina dediſſent, cives Romani eſſent. Puteolos, Salernumque et Buxentum adſcripti coloni, qui nomina dederunt quum ob id ſe pro civibus Romanis ferrent; Senatus judicavit non eſſe eos cives Romanos.* There was a diſtinction between Roman colonies and colonies of Roman citizens. The firſt might be Latins, or other allies, planted under the authority of the Roman State. The ſecond were probably citizens. And the whole amount of this paſſage was to prove, that Latins were not to be conſidered as Roman citizens, merely becauſe they reſided in ſome colony of Roman citizens. But the quotation of Sigonius is as follows, and gives a wonderful perverſion to the paſſage in queſtion: *De antiquo Jure Italiæ*, lib. ii. c. 3. "Quare aſcripti coloni nomine quidem erant cives Romani, re vero coloni. Teſtem poſtulatis? non longe abiero. Preſto eſt Livius qui ſcribit, lib. xxxiv. Puteolos, Salernum et Buxentum *civium Roman.* Adſcripti coloni, qui nomina dederant cum ob id ſe pro civibus ferrent; Senatus judicaſſe non eſſe eos cives Romanos; et *alio loco* narrat Ferentinates novum jus tentâſſe, ut Latini, qui in coloniam Romanam nomina dediſſent, cives Romani eſſent."

The perverſion of this quotation is remarkable. Different clauſes of the ſame ſentence are quoted as ſeparate paſſages in different parts of the author. The order of the clauſes is ſo placed, that the uſe of the firſt in explaining the ſecond is loſt, and the words *civium Roman.* are inſerted. The paſſage in Livy, aſſerting that even Latins pleaded to be admitted as citizens, becauſe they reſided in ſome colony of citizens, proves the reverſe of what Sigonius maintains, *viz.* that citizens removing to colonies were disfranchiſed.

The fact is, that, in the time of Livy and other hiſtorians, the diſtinction between Roman citizens, whether of the city or of the colonies, and the other inhabitants of Italy, was become a matter of antiquity and of mere curioſity; and therefore is not by them ſo fully and diſtinctly ſtated, as not to admit of diſpute. The coloniſts ceaſing to attend at elections, or in the Aſſemblies of the People, and not giving in their names at the muſters, ſubjected themſelves to all the effects of poſitive excluſion, although it is probable no ſuch excluſion had taken place; for even aliens were not excluded by any poſitive law, and might be admitted on the rolls at the diſcretion of the officer who preſided over the muſter. Antiquarians, in ſearch of ancient conſtitutions, ſometimes ſuppoſe that rules muſt have exiſted, in order to have the pleaſure of conjecturing what they were.

(*y*) The Conſul C. Marcius, U. C. 398, being encamped at Sutrium in Etruria, aſſembled his army in their Tribes, and paſſed a law to raiſe the twentieth penny on the price of every ſlave that ſhould be manumitted. The Senate, being pleaſed with the tax, confirmed the act; but the Tribunes, alarmed at the precedent, obtained a reſolution, by which it was declared for the future to be capital for any perſon to propoſe any law in ſuch detached or partial Aſſemblies of the People (Liv. lib. vii. c. 16.).

ſtateſmen

statesmen and warriors unequalled in the history of mankind. CHAP. III.

In about one hundred years after they began to restore their city from the ruins in which it was laid by the Gauls, they extended their sovereignty from the farthest limits of Tuscany on the one side, to the sea of Tarentum and the straits of Messina on the other; and as the contest of parties at home led to a succession of political establishments, their frequent wars suggested the policy which they adopted respecting foreign nations, and the arrangement of their national force. U. C. 465.

They had for some time discontinued the practice of admitting captives into the number of their People; but continued that of extending and securing their acquisitions, by colonies of their own citizens, or of such allies as they could most securely trust. They exacted from the cantons of Italy which they vanquished, contributions of subsistence and cloathing for the benefit of their armies; and they generally imposed some condition of this sort as a preliminary to every negociation or treaty of peace (z).

Their forces consisted of native Romans, and of their allies in Italy, nearly in equal parts. The legion, says Livy, had been formerly arrayed in a continued line, or compacted column (*a*); but, in the course of the wars which led to the conquest of Italy, came to be formed in divisions, and had different orders of light and heavy-armed infantry, as well as cavalry. The light-armed infantry were called the Velites, and were supposed to ply in the front, on the flank, or in the rear of the army; and their service was, to keep the heavy-armed foot undisturbed by missiles till they came into close action with the enemy. U. C. 415.

(z) Liv. lib. viii. c. 1. & 2. Lib. ix. c. 43. Lib. x. c. 5. & 37.
(*a*) Liv. lib. viii. c. 8.

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BOOK I.

The heavy-armed foot consisted of three orders, called the Hastati, Principes, and Triarii; of whom each had its separate divisions or manipules; and those of the different orders were placed in three different rows, and at distances from each other, equal to the front of the division. By this disposition the manipules of the first and second row could either act separately, or, by mutually filling up their intervals, could complete the line, leaving the Triarii, in time of action, as a body of reserve, to support the line, or fill up the place of any manipule that might be forced by the enemy. And, in order to facilitate occasionally this change of disposition, the divisions of one row faced the intervals of the other (*b*). They were armed with the pilum, which

(*b*) This account of the Roman legion is not without its difficulties. It appears irrational to break and disperse the strength of a body in this manner; and Cæsar makes no mention of any such distinction of orders, of the manipules, of the rows in which they were formed, or of the intervals at which they fought. His legion consisted of ten cohorts, formed from right to left on a continued front. Polybius, however, one of the best military historians, and himself an eye-witness of the disposition of the Roman legion in action, as well as on the parade, is very explicit in this account of it; refers to it in the description of the Roman march (Polyb. liv. vi. c. 38), in the description of every battle (Polyb. lib. iii. c. 1, 2, 3, 4), and (Polyb. lib. xv. c. 10.) in stating the comparative advantages of the Roman legion and Macedonian phalanx (Polyb. lib. xvii. c. 28.). The phalanx being a column of indefinite depth, close ranks, and a continued front, with lances or spears, it was impregnable to the short sword and loose order of the Romans, so long as it preserved its front entire, and the spear-man made no opening for the Roman soldier to enter within the point of his weapon.

It is observed that the Romans made their attack in separate divisions and at intervals, in order to bring on some irregularity in the front of the phalanx, and in order to make some openings by which the Roman soldier could enter with his sword, and, once within the point of his enemy's spear, could perform great slaughter with little resistance (Plutarch in vit. P. Emilii. Liv. lib. xliv. c. 41. Neque ulla evidentior causa victoriæ fuit quam quod multa passim prælia erant quæ fluctuantes; turbarant primo, deinde disjecerunt phalanges). From this account then it is probable, that the Romans did not divide their legion into orders and manipules, nor fight at intervals, until after they adopted the short stabbing sword, which is said to have been originally from Spain; and that they continued to make this disposition so long only as they had to do with enemies who used the spear and continued front; that after the social war in Italy and their own civil wars began, they discontinued the separate manipules, and sought to strengthen themselves against an army like their own, by presenting a continued front. Livy accordingly marks the time at which the formation of manipules, at intervals, was adopted. Polybius marks the continuance

which was a heavy javelin or ſpear to be caſt at the enemy, and with a ſhort and maſſy ſword fitted to ſtrike or to thruſt. They bore an oblong ſhield, four feet high by two and a half feet broad, with a helmet, breaſtplate, and greaves. CHAP. III.

In the ſtructure of theſe weapons and this defenſive armour, the Romans conſulted at once both the principal cauſes of courage in a ſoldier, his conſciouſneſs of the means to annoy his enemy, and of a power to defend himſelf. And with theſe advantages they continued for ages to prevail in moſt of their conflicts, and were the model which other nations endeavoured to imitate (*c*) in the form of their armies, and in the choice of their weapons.

It is underſtood in the antiquities of this People, that when they were aſſembled for any purpoſe, whether of ſtate or of war, they were termed the Army. In their muſters a Plebeian was a foot ſoldier, the Knight a horſeman, and the Legion a mere detachment of the whole, draughted for the year, or embodied for a particular ſervice. The men, as well as the officers, in the firſt period of the Hiſtory of the Republic, were annually relieved or exchanged; and even after it ceaſed to be the practice thus annually to relieve the private men, and after the ſame legions were employed during a ſucceſſion of ſome years, yet the People, to the lateſt period of the commonwealth, continued to form the armies of their country; and the officer of ſtate was ſtill underſtood to command in virtue of his civil magiſtracy, or in virtue of a military

continuance of it, and Cæſar evidently marks the diſcontinuance of it. It is extremely probable, that the laſt change was one of thoſe made by Marius, and was introduced into the Roman armies in the ſocial war.

The three orders of Haſtati, Principes, and Triarii, were extremely proper to mark the diſtinction of claſſes ſubſiſting among Roman citizens, who were, nevertheleſs, all of them equally bound, on occaſion, to ſerve in the condition of private ſoldiers: And this may be one reaſon to incline us to aſcribe the diſcontinuance of this diſtribution to Marius, who was a great leveller of ranks.

(*c*) Polyb. lib. vi. c. 17, 18, 19, 20, 21, 22, 23, 24.

BOOK I. litary qualification which never failed to accompany it. No citizen could aspire to any of the higher offices in the commonwealth, until he had been inrolled in the Legions, either ten years if on horseback, or sixteen years if on foot; and, notwithstanding the special commissions that were occasionally given for separate objects of state or of war, civil and military rank were never disjoined. Equal care was taken to furnish the rising statesman and warrior with the technical habits of either profession; or rather to instruct him, by his occasional application to both, not to mistake the forms of office in either for the business of state or of war, nor to rest his pretensions to command on any accomplishment short of that superior knowledge of mankind, and those excellent personal qualities of penetration, sagacity, and courage, which give the person possessed of them an ascendant, as a friend or as an enemy, in any scene or department of human affairs. It may be difficult to determine, whether we are to consider the Roman establishment as civil or military; it certainly united, in a very high degree, the advantages of both, and continued longer to blend the professions of state and of war together, than we are apt to think consistent with that propriety of character which we require in each: but to this very circumstance, probably, among others, we may safely ascribe, in this distinguished republic, the great ability of her councils, and the irresistible force with which they were executed *(d)*.

During a period of about one hundred and twenty years after the rebuilding of Rome, the Romans were engaged in a continual series of wars; first with the Latins and with their own colonies, who wished to disengage themselves from so unequal an alliance; afterwards with the Etruscans on

(*d*) Polyb. lib. vi. c. 17.

the

the one hand, and with the Samnites, Campanians, and Tarentines on the other. They quarrelled with the Samnites first in behalf of the Campanians, who, in order to obtain their protection, made a surrender of themselves and of all their possessions. This act of surrender they afterwards had occasion to enforce against the Campanians themselves, who endeavoured, when too late, to recover their liberties.

CHAP. III.

The Samnites were a fierce nation, inhabiting that tract of the Appenines which extends from the confines of Latium to those of Apulia; and who, to the advantages of their mountainous situation, joined some singular and even romantic institutions *(e)*, which enabled them, during above forty years, from the time at which their wars with the Romans began, to maintain the contest *(f)*, and to keep the balance of power in suspence.

During the dependence of this quarrel, the Roman armies frequently penetrated into Lucania and Apulia, and before they had reduced the Samnites, were known as protectors and allies, or had forced their passage as conquerors to the southern extremities of Italy. And the State itself, under a variety of titles, was in reality the head, or held a species of sovereignty over all the nations who occupied that part of the peninsula.

The city of Tarentum, the most powerful of the Greek settlements in this quarter, having neglected her military establishments in proportion as she advanced in the arts of peace, was alarmed at the near approach of the Romans, and applied for protection to Pyrrhus the king of Epirus, at U. C. 473.

(e) Of this sort it is mentioned, that ten of the fairest of one sex were annually selected as prizes to be won by the bravest and most deserving of the other. Strabo, lib. v. fin. The Samnites furnished Roman generals with the subject of twenty-four triumphs, but mixed with checks and disgraces more remarkable than any they had received in the course of their wars with any other nation. Florus, lib. i. c. 16.

(f) Liv. lib. x. c. 31.

BOOK I. that time greatly diſtinguiſhed among the military adventurers of Macedonia and Greece. They wiſhed to employ the military ſkill of this prince, without being expoſed to fall a prey to his ambition; and invited him to come, without any army of his own, to take the command of their people, whoſe numbers they magnified, in order to induce him to accept of their offer. But, like moſt foreign military protectors, he appears to have had, together with many ſchemes of ambition againſt thoſe on whom he made war, ſome deſigns likewiſe on the State he was brought to defend. With this double intention he did not rely on the forces of Tarentum, but paſſed into Italy at the head of a numerous army, formed on the model of the Macedonians, and accuſtomed to ſervice in the wars of that country and of Greece.

This is the firſt enemy whoſe forces can be conſidered as a known meaſure, with which to compare, or by which we can eſtimate, the power and military attainments of the Romans. They had been victorious in Italy, but the character and prowefs of the enemies they had vanquiſhed are unknown. This prince knew the arts of war as they were practiſed in Macedonia and in Greece, and was reputed one of the firſt captains of that or any other age *(g)*. He accordingly prevailed over the Romans in ſome of their firſt encounters; but found that partial victories did not ſubdue this people, nor decide the conteſt. Having vaſt ſchemes of ambition in Sicily and Africa, as well as in Italy, he ſuddenly ſuſpended his operations againſt the Romans, to comply with an invitation he received from Syracuſe, to poſſeſs himſelf of that kingdom

(g) Pyrrhus, it is ſaid, was ſtruck with the military aſpect of the Romans, and admired in particular the form of their encampments. The Greeks always endeavoured to avail themſelves of natural ſtrengths, and accommodated the diſpoſition of their camp to the ground; but the Romans, truſting only to their artificial works, pitched on the plain, and always encamped in the ſame form. Plutarch in vit. Pyrrhi.

in

in behalf of his ſon, who had ſome pretenſions to it in the right of Agathocles, from whom he was deſcended. CHAP. III.

In order to purſue this object, he endeavoured to obtain a peace or ceſſation of arms in Italy; but was told, that, in order to treat with the Romans, he muſt evacuate their country and return to his own (*h*). With this anſwer he paſſed into Sicily; and after ſome operations which were ſucceſsful, though not ſufficiently ſupported by his partizans in that country to obtain the end of his expedition, he returned again into Italy for the defence of Tarentum; but found that during his abſence the Romans had made a conſiderable progreſs, and were in condition to repay the defeats they had ſuffered in the beginning of the war. Having brought this matter to the proof in ſeveral encounters, he committed the defence of Tarentum to one of his officers; and after this fruitleſs attempt to make conqueſts beyond the Ionian Sea, in which he had employed ſix years, he returned to his own country.

The Romans continuing the war againſt Tarentum, in about two years after the departure of Pyrrhus from Italy, made themſelves maſters of the place. Here, it is mentioned, they found, for the firſt time, the plunder of an opulent city, containing the models of elegant workmanſhip in the fine arts, and the apparatus of an exquiſite luxury. "In former times," ſays Florus, "the victorious "generals of Rome exhibited in their triumphs "herds of cattle driven from the Sabines and the "Volſci, the empty cars of the Gauls, and broken "arms of the Samnites: but in that which was "ſhewn for the conqueſt of Tarentum, the pro-"ceſſion was led by Theſſalian and Macedonian "captives, followed with carriages loaded with "precious furniture, with pictures, ſtatutes, plate, U.C. 481.

(*h*) Liv. Epitome, lib. xiii. Plutarch in vit. Pyrrh.

BOOK I. "and other ornaments of ſilver and gold *(i)*." Spoils which, we may gueſs, in the firſt exhibition of them, were valued at Rome more as the public trophies of victory, than felt as the baits of private avarice, or the objects of a mean admiration. The Roman citizen as yet lived content in his cottage, furniſhed in the rudeſt manner; and he ſubſiſted on the ſimpleſt fare, the produce of his own labour. Curius Dentatus, the Conſul who obtained this triumph, having the offer of fifty *jugera* as a reward from the public for his ſervices, would accept of no more than ſeven. This, he ſaid, is the ordinary portion of a citizen, and that perſon muſt be an unworthy member of the commonwealth who can wiſh for more *(k)*.

U. C. 481. From the reduction of Tarentum the Romans may be conſidered as the ſovereigns of Italy, although their dominion was extremely ill defined, either in reſpect to its nature or to its extent. They but in a few inſtances laid claim to abſolute ſovereignty, and leaſt of all over thoſe who were moſt ſubmiſſive to their power. It was their maxim to ſpare the obſequious, but to cruſh the proud *(l)*; an artful profeſſion, by which, under the pretences of generoſity and magnanimity, they ſtated themſelves as the ſovereign nation. Under this preſumptuous maxim their friendſhip was to be obtained by ſubmiſſion alone; and was, no leſs than

(*i*) Florus, lib. i. c. 18.

(*k*) A Roman citizen in this period might, by the Law of Licinius, have an eſtate of five hundred *jugera*, or about three hundred acres; but the ordinary patrimony of a noble family was probably far below this meaſure; and the lot of a citizen in the new colonies ſeldom exceeded ſeven *jugera*. The people were lodged in cottages and ſlept on ſtraw (Plin. lib. xviii. c. 3. Cicer. pro Roſſio, Val. Max. lib. iv. c. 3.). The Romans, till a little before the ſiege of Tarentum, had no coin but copper, and eſtimated conſiderable ſums more commonly by the head of cattle than by money. They coined ſilver for the firſt time U. C. 325. Gold was known as a precious material, and was ſometimes joined with oxen in the reward of diſtinguiſhed ſervices. Liv. lib. iv. c. 30. Ibid. Epitome, lib. xv.

(*l*) Parcere ſubjectos & debellare ſuperbos.

their

CHAP. III.

their enmity, fatal to thoſe who embraced it. The title of ally was, for the moſt part, no more than a ſpecious name, under which they diſguiſed their dominion, and under which they availed themſelves of the ſtrength and reſources of other nations, with the leaſt poſſible alarm to their jealouſy or pride.

With the Latins they had early formed an alliance offenſive and defenſive, in which the parties mutually ſtipulated the number of troops to be furniſhed by each; the reſpective ſhares which each was to have in the ſpoils of their common enemies, and the manner of adjuſting any diſputes that might ariſe between them. This was the league which the Latins were ſuppoſed to have ſo frequently broken, and of which the Romans ſo often exacted the obſervance by force (*m*).

In the firſt ſtruggles which they made to reſtore their ſettlement deſtroyed by the Gauls, and in the ſubſequent wars they had to maintain, during a hundred years, in ſupport of their new eſtabliſhment, different cantons of theſe original confederates, as well as many of their own colonies, had taken very different parts, and in the treaties which enſued, obtained, or were ſentenced to different conditions; ſome were admitted to the freedom of Rome, and partook in the prerogative of Roman citizens. A few were, by their own choice, in preference to the character of Roman citizens, permitted to retain the independency of their towns, and were treated as allies. Others, under pretence of being admitted to the freedom of Rome though without the right of ſuffrage, were deprived of their corporation eſtabliſhments, and with the title of Citizens, treated as ſubjects. A few were governed in form by a military power, and

(*m*) Dionyſ. Hal. lib. vi. p. 415. Liv. lib. vi. c. 10. lib. ix. c. 43.

BOOK I. by a Præfect or Magiſtrate annually ſent from Rome (*n*).

From this unequal treatment aroſe the variety of conditions by which the natives of Italy were diſtinguiſhed, as Colonies, Municipal Towns, Allies, Præfectures, or Provincial Governments, until about 181 years after this date, when, as will be mentioned in the ſequel, the whole was put upon the ſame footing by the general admiſſion of all the Italians upon the rolls of the Roman People.

(*n*) The city of Capua, together with its diſtrict of Campania, was the firſt example of a provincial government eſtabliſhed by the Romans in any of their conqueſts. The Campanians, in order to be protected againſt the Samnites, had delivered themſelves up to the Romans. But they ſoon after became ſenſible of their folly, in truſting their defence to any force but their own, or in reſigning their power as a State, with a view to preſerve any thing elſe. When they perceived this error, they endeavoured, in conjunction with ſome of their neighbours, to form a party againſt their new maſters; and being defeated in their attempts to recover their independence, were treated with the ſeverity that is commonly employed againſt rebel ſubjects. Their ſenate and popular aſſembly, under pretence of ſuppreſſing ſeminaries of faction, were aboliſhed, and a Præfect or Governor annually appointed (Liv. lib. ix. c. 20.). A ſimilar courſe, under the ſame pretence, was ſoon after taken with Antium (Liv. lib. ix. c. 21.). This had been the principal ſea-port of the Volſci, and along the head of many formidable combinations againſt the Romans.

CHAP.

CHAP. IV.

Limits of Italy.—Contiguous Nations.—Ligurians.—Gauls.—Greek and Phœnician Colonies of Gaul and Spain.—Nations of Illyricum.—Of Greece.—Achæan League.—Thebans.—Athenians.—Asiatic Nations.—Pergamus.—Syria.—Egypt.—Carthage.—The Mamertines of Messina.—Occasion of the first War with Carthage.—Losses of the Parties.—Peace.—State of the Romans.—Political or Civil Institutions.—Colonies.—Musters.—Operation on the Coin.—Increase of the Slaves.—Gladiators.—Different Results of the War at Rome and Carthage.—Mutiny and Invasion of the Mercenaries at Carthage.—End of this War.—Cession of Sardinia.—War with the Illyrians.—First Correspondence of Rome with Greece.

CHAP. IV. U. C. 481.

AS the Romans, at the time to which our last observations refer, were become the sovereigns of Italy, or, by their ascendant in so powerful a country, were enabled to act a distinguished part among the nations around it; it is proper in this place to carry our observations beyond the boundaries of that Peninsula, and enumerate the powers that were then established on different sides of it, or beyond the narrow seas by which it was surrounded.

Italy was not then supposed to comprehend the whole of that tract which has in later times been known under this name. Being bounded, as at present, on the South and East by the seas of Sicily and the bay of Tarentum, it extended no further to the North-west than to the Arnus on the one hand, and to the Rubicon on the other. Beyond these

BOOK I. these limits the western coasts were inhabited by a number of tribes, which, under the name of Ligurians, occupied the descents of the Appenines and the South of the Alps quite to the sea-shore. On the other side of the Appenines, from Senegallia to the Alps, the rich and extensive plains on both sides of the Po were in the possession of Gaulish nations, who were said, some centuries before, to have passed the mountains, and who were then actually spread over a fertile tract of more than twelve hundred miles in circumference. They consisted of nine different hordes, that were supposed to have passed the Alps at different times. Of these the Laulebecii, Insubres, Cenomani, and Veneti occupied the northern banks of the Po, including what are now the states of Milan, Venice, and other parts of Lombardy on that side of the river. The Anianes, Boii, Ægones, and Senones, were settled to the southward, from the Po to the descents of the Appenines, and on the coasts of the Hadriatic to Senegallia, over what are now the states of Parma, Modena, Bologna, and Urbino. In this favourable situation they appear to have abated much of their native ferocity, though without acquiring, in any considerable degree, the arts that improve the conveniencies of life. They fed chiefly on the milk or the flesh of their cattle, and were occupied entirely in the care of their arms and of their herds. By these, and the ornaments of gold, of which they were extremely fond, they estimated their riches. They were divided into Tribes or Cantons, and lived in cottages huddled together, without any form of towns or of villages. The leader of every horde was distinguished by his retinue, and valued himself chiefly on the number of his followers. They had made frequent encroachments on the states of Etruria and Umbria, but were met at last, and stopped in their progress, by the Romans. Such of them as were settled within the Rubicon, and

and from thence to Senegallia, had, about three years before the arrival of Pyrrhus in Italy, been obliged to acknowledge the authority of the Roman State *(a)*.

The coaſts of the Mediterranean, to the weſtward of Italy, had been known to the nations of Greece and of Aſia, and had received many colonies from thence, which formed trading ſettlements, and remained altogether diſtinct from the natives. Such were the Greek colonies at Marſeilles, Emporiæ, Saguntum, and the Tyrian colony at Gades on the coaſt of the ocean. On the other ſide of Italy, and round the Hadriatic, were ſettled a number of ſmall nations, the Iſtrians, Dalmatians, and Illyrians; of which, at the time when the Romans became acquainted with the navigation of this gulf, the Illyrians, being the chief or principal power, extended eaſtward to the confines of Macedonia.

Alexander the Great had finiſhed the career of his victories about ſixty years before this date. His hereditary dominions, as well as his perſonal conqueſts, were diſmembered, and become the patrimony of officers, who had learned under him to affect the majeſty and the power of kings. Macedonia was governed by Antigonus Dozon, who, together with the principality of Pella, held under his dependence Epirus, Theſſaly, and Greece, to the iſthmus of Corinth. He had contended with with Pyrrhus, the late invader of Italy, for part of this territory; and, by the death of this adventurer, was now in poſſeſſion of the whole. U. C. 421.

On one part of the coaſt of the Ionian Sea, and on the Gulf of Corinth, were ſettled the Etolians, who, during the proſperity of Greece, had been an obſcure and barbarous horde; but had now, by the confederacy of a number of cantons, laid many diſtricts around them under contribution, and acted

(a) Polyb. lib. ii. c. 17. 19. 29.

BOOK I. a diſtinguiſhed part in the wars and tranſactions that followed.

On the other ſide of the Gulf of Corinth a ſimilar confederacy was formed by the Achæan league. The name of Achæa, in the fabulous ages, was the moſt general denomination of Greeks. When other names, of Dorians and Ionians, of Athenians and Spartans, became more diſtinguiſhed, the name of Achæans was appropriated to the tribes who occupied the ſea-coaſt, or the Gulf of Corinth, from Elis to Sicyon. On this tract twelve little cantons, Dymæ, Phara, Tritæa, Rhipes, Thaſium, Patræ, Pellene, Ægium, Bura, Carynia, Olenos, and Hellice *(b)*, having changed their government from principalities to republics, formed themſelves into a league for their common defence. Hellice had been, from time immemorial, the ſeat of their aſſembly; but this place having been overwhelmed by an inundation of the ſea, their meetings were transferred to Ægium.

In the more famous times of Sparta, Athens, and Thebes, theſe little cantons being ſituated on a poor and rocky ſhore, without ſhipping and without harbours *(c)*, were of no conſideration in the hiſtory of Greece; they took no part in the defence of that country from the invaſions of Darius, or of Xerxes, or in the diviſions that followed under the hoſtile banners of Sparta and of Athens. They began, however, to appear in ſupport of the liberties of Greece againſt Philip the father of Alexander, and partook with the other Greeks in the defeat which they received from that prince at Chæronea, and in all its conſequences. Their league was accordingly diſſolved by the conqueror, and ſome of their cantons ſeparately annexed to the Macedonian monarchy. But about the time that Pyrrhus invaded Italy, Dymæ, Patræ, Pharæ, and

(*b*) Pauſanias, lib. vii. c. 6. (*c*) Plutarch, in Vit. Arat. p. 321.

Tritæa

Tritæa found an opportunity to renew their ancient confederacy. They were joined in about five years afterwards by the canton of Ægium, and successively by those of Bura and Carynia. These, during a period of about twenty years, continued to be the only parties in this famous league. They had a general congress, at which they originally elected two annual officers of state, and a common secretary. They afterwards committed the executive power to one officer; and, under the famous Aratus of Sicyon, united that republic, together with Corinth and Megara, to their league *(d)*.

About the time when the Romans became masters of Tarentum, this combination was become the most considerable power of the Peloponnesus, and affected to unite the whole of it under their banners; but Sparta, though greatly fallen from the splendor of her ancient discipline and power, was still too proud, or too much under the direction of her ambitious leaders, to suffer herself to be absorbed in this upstart confederacy; she continued for some time its rival, and was at last the cause, or furnished the occasion, of its fall.

The Thebans and Athenians, though still pretending to the dignity of independent nations, were greatly reduced, and ready to become the prey of any party that was sufficiently powerful to reach them, by breaking through the other barriers that were still opposed to the conquest of Greece.

In Asia, a considerable principality was formed round the city of Pergamus, and bore its name. Syria was become a mighty kingdom, extending from the coasts of Ionia to Armenia and Persia. This kingdom had been formed by Seleucus Nicanor, a principal officer in the army of Alex-

(*d*) Polyb. lib. ii. c. 3. and Pausanias, lib. vii.

BOOK I. ander, and it was now in the poſſeſſion of his ſon, Antiochus Soter.

Egypt, in the ſame manner, had paſſed from the firſt Ptolemy to his ſon Philadelphus, who, upon the expulſion of Pyrrhus from Italy, had entered into a correſpondence with the Romans. This kingdom included the iſland of Cyprus; and, having ſome provinces on the continent of Aſia, extended from Cælo-Syria, of which the dominion was ſtill in conteſt with Antiochus, to the deſarts of Lybiat on the weſt and on the ſouth. Beyond theſe deſarts, and almoſt oppoſite to the iſland of Sicily, lay the famous republic of Carthage, which was now poſſeſſed of a conſiderable territory, ſurrounded by the petty African monarchies, out of which the great kingdom of Numidia was afterwards formed.

The city of Carthage is ſaid to have been founded about a hundred years earlier than Rome, and was now unqueſtionably farther advanced in the commercial and lucrative arts, and ſuperior in every reſource to Rome, beſides that which is derived from the national character, and which is the conſequence of public virtue.

In reſpect to mere form, the conſtitution of both nations was nearly alike. They had a ſenate and popular aſſemblies, and annually elected two officers of ſtate for the ſupreme direction of their civil and military affairs (*e*); and even at Carthage the departments of ſtate were ſo fortunately balanced, as to have ſtood for ages the ſhock of corrupt factions, without having ſuffered any fatal revolution, or without falling into either extreme of anarchy or tyrannical uſurpation. The frequent proſpect indeed, which the Carthaginians had, of incurring theſe evils, joined to the influence of a barbarous ſuperſtition, which repreſented the gods as

(*e*) Ariſtot. Polit. lib. ii. c. 11.

delighted

CHAP. IV.

delighted with human ſacrifices, probably rendered their government in ſo high a degree inhuman and cruel. Under the ſanguinary policy of this ſtate, officers were adjudged, for miſtakes or want of capacity, as well as for crimes, to expire on the croſs, or were condemned to ſome other horrible puniſhment equally odious and unjuſt *(f)*.

The Carthaginians being like Tyre, of which they were ſuppoſed to be a colony, ſettled on a peninſula, and at firſt without ſufficient land or territory, to maintain any conſiderable numbers of people, they applied themſelves to ſuch arts as might procure a ſubſiſtence from abroad; and became, upon the deſtruction of Tyre, the principal merchants and carriers to all the nations inhabiting the coaſts of the Mediterranean Sea. Their ſituation, ſo convenient for ſhipping, was extremely favourable to this purſuit; and their ſucceſs in it ſoon put them in poſſeſſion of a territory by which they became a landed as well as a naval power. They viſited Spain, under pretence of giving ſupport and aſſiſtance to the city of Gades, which, like themſelves, was a colony from Tyre. They became maſters of Sardinia, and had conſiderable poſſeſſions in Sicily, of which they were extremely deſirous to ſeize the whole. From every part of their acquiſitions they endeavoured to derive the profit of merchants, as well as the revenue of ſovereigns.

In this republic, individuals had amaſſed great fortunes, and eſtimated rank by their wealth. A certain eſtate was requiſite to qualify any citizen for the higher offices of ſtate; and, in the canvas for elections, every preferment, whether civil or military, was venal *(g)*. Ambition itſelf, therefore, became a principle of avarice, and every Carthaginian, in order to be great, was intent to be rich. Though the intereſts of commerce ſhould have in-

(*f*) Oroſius, lib. iv. c. 6. (*g*) Polyb. lib. vi. c. 54.

culcated

BOOK I. culcated the desire of peace, yet the influence of a few leading men in the state, and even the spirit of rapacity which pervaded the people, the necessity to which they were often reduced of providing settlements abroad for a populace who could not be easily governed at home, led them frequently into foreign wars, and even engaged them in projects of conquest. But notwithstanding this circumstance, the community stifled or neglected the military character of their own citizens, and had perpetual recourse to foreigners, whom they trusted with their arms, and made the guardians of their wealth. Their armies, for the most part, were composed of Numidians, Mauritanians, Spaniards, Gauls, and fugitive slaves from every country around them. They were among the few nations of the world who had the ingenuity, or rather the misfortune, to make war without becoming military, and who could be victorious abroad, while they were exposed to be a prey to the meanest invader at home.

Under this wretched policy, however, the first offices of trust and command being reserved for the natives, though the character of the people in general was mean and illiberal, yet a few, being descended of those who had enjoyed the higher honours of the state, inherited the characters of statesmen and warriors; and, instead of suffering by the contagion of mercenary characters, they derived some additional elevation of mind from the contrast of manners they were taught to despise. And thus, though the State, in general, was degenerate, a few of its members were qualified for great affairs. War, and the other objects of state, naturally devolved on such men, and occasionally rendered them necessary to a sedentary or corrupted people, who, in ordinary times, were disposed to slight their abilities, or to distrust their power. They became unfortunately a party for war in the councils

councils of their country, as those who were jealous of them became, with still less advantage to the public, a party for peace; or, when at war, a party who endeavoured to embarrass the conduct of it; and, under the effects of misfortune, were ever ready to purchase tranquillity by the most shameful and dangerous concessions. CHAP. IV.

Carthage being mistress of the sea, was already long known on the coasts of Italy: she had treaties subsisting with the Romans above two hundred years, in which they mutually settled the limits of their navigation, and the regulations of their trade. And the Romans, as parties in these treaties, appear to have had intercourse with foreign nations by sea, earlier than is stated in the other parts of their history.

In the first of those treaties, which is dated in the consulate of L. Junius Brutus and M. Horatius, the first year of the commonwealth, the Romans engaged not to advance on the coast of Africa, unless they were forced by an enemy, or by stress of weather, beyond the Fair Promontory, which lay about twenty leagues to the westward of the Bay of Carthage. U.C. 244.

It was agreed, that, even in these circumstances, they should remain no longer than five days, and supply themselves only with what might be necessary to refit their vessels, or to furnish them with victims for the usual sacrifices performed at sea. But that in Sardinia, and even in Africa, to the west of this boundary, they should be at liberty to trade and to dispose of their merchandize without paying any duties besides the fees of the crier and clerk of sale; and that the public faith should be pledged for the payment of the price of all goods sold under the inspection of these officers.

That the ports of Sicily should be equally open to both nations.

BOOK I. That the Carthaginians, on their part, should not commit any hostilities on the coast of Latium, nor molest the inhabitants of Ardæa, Antium, Laurentium, Circeii, Terracina, or of any other place in alliance with the Romans; that they should not attempt to erect any fortress on that coast; and that, if they should land at any time with an armed force, they should not, upon any account whatever, remain a night on shore.

By a subsequent treaty, in which the states of Utica and Tyre are comprehended as allies to both parties, the former articles are renewed with additional limitations to the navigation and trade of the Romans, and with some extension to that of the Carthaginians. The latter, for instance, are permitted to trade on the coast of Latium, and even to plunder the natives, provided they put the Romans in possession of any strong-holds they should seize on shore; and provided they should release, without ransom, such of the allies of the Romans as became their prisoners.

U. C. 474. Upon the arrival of Pyrrhus in Italy, with an armament which equally alarmed both nations, the Romans and Carthaginians again renewed their treaties with an additional article, in which they agreed mutually to support each other against the designs of that prince, and not to enter into any separate treaty with him inconsistent with this defensive alliance: and further stipulated, that, in the wars which were expected with this enemy, the Carthaginians, whether as principals or auxiliaries, should furnish the whole shipping, both transports and armed gallies; but that the expence of every armament should be defrayed at the charge of that party in whose behalf it was employed *(h)*.

In observance probably of the last of these treaties, and by mutual concert, though with consider-

(*h*) Polyb. lib. iii. c. 3.

able

rable jealoufy and diftruft of each other, the forces of thefe nations combined in reducing the garrifon which Pyrrhus had left at Tarentum. Each had their feparate defigns on the place; and when its fate was determined, from thenceforward confidered the other as their moft dangerous rival for dominion and power. Pyrrhus, even when they were joined in alliance againft himfelf, is faid to have forefeen their quarrels, and to have pointed at the ifland of Sicily as the firft fcene of their conteft.

The Carthaginians were already in poffeffion of Lylibæum, and of other pofts on this ifland, and had a defign on the whole. The Romans were in fight of it; and, by their poffeffion of Rhegium, commanded one fide of the Straits. The other fide was occupied by the Mamertines, a race of Italian extraction, who, being placed at Meffina by the king of Syracufe to defend that ftation, barbaroufly murdered the citizens, and took poffeffion of their habitations and effects.

This horrid action was afterwards imitated by a Roman legion pofted at Rhegium during the late wars in Italy: thefe likewife murdered their hofts, and feized their poffeffions; but were punifhed by the Romans, for this act of cruelty and treachery, with the moft exemplary rigour. They were conducted in chains to Rome, fcourged, and beheaded by fifties at a time. The crime of the Mamertines was refented by the Sicilians in general with a like indignation; and the authors of it were purfued by Hiero king of Syracufe in particular, with a generous and heroic revenge. They were, at length, reduced to fuch diftrefs, that they were refolved to furrender themfelves to the firft power that could afford them protection. But, being divided in their choice, one party made an offer of their fubmiffion to the Carthaginians, the other to the Romans. The latter fcrupled to protect a crime of which

BOOK I. they had so lately punished an example in their own people *(i)*. And, while they hesitated on the proposal, the Carthaginians, favoured by the delay of their rivals, and by the neighbourhood of their military stations, got the start of their competitors, and were received into the town of Messina.

This unexpected advantage gained by a power of which they were jealous, and the danger of suffering a rival to command the passage of the Straits, removed the scruples of the Romans; and the officer who commanded their forces in the contiguous parts of Italy, had orders to assemble all the shipping that could be found on the coast from Tarentum to Naples, to pass with his army into Sicily, and endeavour to dispossess the Carthaginians from the city of Messina.

As soon as this officer appeared in the road with a force so much superior to that of his rivals, the party in the city, that favoured the admission of the Romans, took arms, and forced the Carthaginians to evacuate the place *(k)*.

Here commenced the first Punic war, about ten years after the departure of Pyrrhus from Italy, eight years after the surrender of Tarentum, and in the four hundred and ninetieth year of Rome. In this war, the first object of either party was no more than to secure the possession of Messina, and to command the passage of the Straits which separate Italy from Sicily; but their views were gradually extended to objects of more importance, to the sovereignty of that island, and the dominion of the seas.

The contest between them was likely to be extremely unequal. On the one side appeared the resources of a great nation, collected from extensive dominions, a great naval force, standing armies,

(i) Polyb. lib. i. c. 10. (k) Ibid. lib. i. c. 12.

CHAP. IV.

and the experience of diſtant operations. On the other, the ferocity or valour of a ſmall State, hitherto exerted only againſt their neighbours of Italy, who, though ſubdued, were averſe to ſubjection, and in no condition to furniſh the neceſſary ſupplies for a diſtant war; without commerce or revenue, without any army but what was annually formed by detachments from the people, and without any officers beſides the ordinary magiſtrates of the city; in ſhort, without any naval force, or experience of naval or diſtant operations.

Notwithſtanding theſe unpromiſing appearances on the ſide of the Romans, the commanding aſpect of their firſt deſcent upon Sicily procured them not only the poſſeſſion of Meſſina, but ſoon after determined Hiero, the king of Syracuſe, hitherto in alliance with the Carthaginians, to eſpouſe their cauſe, to ſupply their army with proviſions, and afterwards to join them with his own. Being thus reinforced by the natives of Sicily, they were enabled to recal part of the force with which they began the war; continued, though at a leſs expence, to act on the offenſive; and drove the Carthaginians from many of their important ſtations in the iſland (*l*).

While the arms of the Romans and of Hiero were victorious on ſhore, the Carthaginians continued to be maſters of the ſea, kept poſſeſſion of all the harbours in Sicily, overawed the coaſts, obſtructed the military convoys from Italy, and alarmed that country itſelf with frequent deſcents. It was evident, that, under theſe diſadvantages, the Romans could neither make nor preſerve any maritime acquiſitions; and it was neceſſary, either to drop the conteſt in yielding the ſea, or to endeavour, on that element likewiſe, to cope with their rival. Though not altogether, as hiſtorians repre-

(*l*) Polyb. lib. i.

BOOK I. ſent them, unacquainted with ſhipping, they were certainly inferior to the Carthaginians in the art of navigation, and altogether unprovided with ſhips of force. Fortunately for them, neither the art of ſailing, nor that of conſtructing ſhips, was yet arrived at ſuch a degree of perfection as not to be eaſily imitated by nations who had any experience or practice of the ſea. Veſſels of the beſt conſtruction that was then known were fit to be navigated only with oars, or in a fair wind and on a ſmooth ſea. They might be built of green timber; and, in caſe of a ſtorm, could run aſhore under any cover, or upon any beach that was clear of rocks. Such ſhips as theſe the Romans, without heſitation, undertook to provide. Having a Carthaginian galley accidentally ſtranded at Meſſina for a model, it is ſaid, that, in ſixty days from the time that the timber was cut down, they fitted out and manned for the ſea one hundred gallies of five tier of oars, and twenty of three tier. Veſſels of the firſt of theſe rates carried three hundred rowers, and two hundred fighting men.

The manner of applying their oars from ſo many tiers, and a much greater number which they ſometimes employed, has juſtly appeared a great difficulty to the mechanics and antiquarians of modern times, and is confeſſedly not well underſtood.

The Romans, while their gallies were building, trained their rowers to the oar on benches that were erected on the beach, and placed in the form of thoſe of the real galley (*m*). Being ſenſible that the enemy muſt be ſtill greatly ſuperior in the management of their ſhips and in the quickneſs of their motions, they endeavoured to deprive them of this advantage, by preparing to grapple, and to bind their veſſels together. In this condition the men

(*m*) Polyb. lib. i. c. 20, 21.

might

might engage on equal terms, fight from their ſtages or decks as on ſolid ground, and the Roman buckler and ſword have the ſame effect as on ſhore. CHAP. IV.

With an armament ſo conſtructed, ſtill inferior to the enemy, and even unfortunate in its firſt attempts, they learned, by perſeverance, to vanquiſh the maſters of the ſea on their own element; and not only protected the coaſts of Italy, and ſupported their operations in Sicily, but, with a powerful fleet of three hundred and thirty ſail, overcame at ſea a ſuperior number of the enemy, and carried the war to the gates of Carthage (*n*).

On this occaſion took place the famous adventure of Regulus; who being ſucceſsful in his firſt operations, gave the Romans ſome hopes of conqueſt in Africa: but they were checked at once by the defeat of their army, and the captivity of their U. C. 498. general. This event removed the ſeat of the war again into Sicily; and the Romans, ſtill endeavouring to maintain a naval force, ſuffered ſo many loſſes, and incurred ſo many diſaſters by ſtorms, that they were, during a certain period of the war, diſguſted with the ſervice at ſea, and ſeemed to drop all pretenſions to power on this element. The experience of a few years, however, while they endeavoured to continue their operations by land without any ſupport from the ſea, made them ſenſible of the neceſſity they were under of reſtoring their ſhipping; and they did ſo with a reſolution and vigour which enabled them once more to prevail over the ſuperior ſkill and experience of their enemy.

In this ruinous conteſt both parties made the utmoſt efforts, and the moſt uninterrupted exertion of their forces. Taking the forces of both ſides, in one naval engagement, five hundred gallies of five

(*n*) Polyb. lib. i. c. 27.

BOOK I. tier of oars, with two hundred and fifty thouſand men, and in another, ſeven hundred gallies, with three hundred and fifty thouſand men, were brought into action (*o*); and in the courſe of theſe ſtruggles the Romans loſt, either by tempeſts or by the hands of the enemy, ſeven hundred gallies; their antagoniſts, about five hundred (*p*). In the reſult of theſe deſtructive encounters, the Carthaginians, beginning to balance the inconveniencies which attended the continuance of war againſt the conceſſions that were neceſſary to obtain peace,
U. C. 512. came to a reſolution to accept of the following terms:

That they ſhould evacuate Sicily, and all the iſlands from thence to Africa:

That they ſhould not for the future make war on Hiero king of Syracuſe, nor on any of his allies:

That they ſhould releaſe all Roman captives without any ranſom:

And within twenty years pay to the Romans a ſum of three thouſand Euboic talents (*q*).

Thus the Romans, in the reſult of a war, which was the firſt they undertook beyond the limits of Italy, entered on the poſſeſſion of all that the Carthaginians held in the iſlands for which they contended; and, by a continuation of the ſame policy which they had ſo ſuccefsfully purſued in Italy, by applying to their new acquiſitions, inſtead of the alarming denomination of *Subject*, the ſofter name of *Ally*, they brought Hiero, who was ſovereign of the greater part of Sicily, into a ſtate of dependence on themſelves.

Their manners, as well as their fortunes, were a perfect contraſt to thoſe of the enemy they had vanquiſhed. Among the Romans, riches were of no account in conſtituting rank. Men became

(*o*) Polyb. lib. i. c. 26. (*p*) Ibid. c. 63. (*q*) Ibid. c. 62, &c.

eminent

eminent by rendering ſignal ſervices to their country, not by accumulating wealth. Perſons of the firſt diſtinction ſubſiſted in the capacity of huſbandmen by their own labour; and, with the fortunes of peaſants, roſe to the command of armies, and the firſt offices of State. One Conſul, of the name of Regulus, was found, by the officer who came to announce his election, equipped with the ſheet or the baſket, and ſowing the ſeed of his corn in the field. Another, better known, of the ſame name, while he commanded in Africa, deſired to be recalled, in order to replace the inſtruments of huſbandry, which, to the great diſtreſs of his family, and the hazard of their wanting food, a fugitive ſlave had carried off from his land. The Senate refuſed his requeſt, but ordered the farm of their general to be tilled at the public expence (*r*).

CHAP. IV.

The aſſociation of pomp and equipage with rank and authority, it may be thought, is accidental, and only ſerves to diſtract the attention which mankind owe to perſonal qualities. It nevertheleſs appears to be in ſome meaſure unavoidable. Superiority is diſtinguiſhed, even in the rudeſt nations, by ſome external mark. Duillius had his piper and his torch, in honour of the firſt naval victory obtained by his country (*s*); and the Romans acknowledged the external enſigns of ſtate, although they were ſtill rude in the choice of them.

At this time, when the nation emerged with ſo much luſtre beyond the boundaries of Italy, the parties which divided the State, and whoſe animoſity ſharpened ſo much the pangs which preceded the birth of many of its public eſtabliſhments, had no longer any object of conteſt. The officers of

(*r*) Valer. Maxim. lib. iv. c. 4. Liv. Epitom. lib. xviii. Seneca ad Albinam. c. 12. Auctor de verſibus illuſtribus.

(*s*) Liv. Epitom. lib. xvii. xviii.

BOOK I. State were taken promiſcuouſly from either claſs of the people, and the diſtinction of Plebeian and Patrician had in a great meaſure loſt its effect. A happier ſpecies of ariſtocracy began to ariſe from the luſtre of perſonal qualities, and the honours of family, which devolved upon thoſe who were deſcended from citizens who had borne the higher offices of State, and were diſtinguiſhed in their country's ſervice.

The different orders of men in the commonwealth having obtained the inſtitutions for which they ſeverally contended, the number of officers was increaſed, for the better adminiſtration of affairs, which were faſt accumulating. Thus a ſecond Prætor was added to the original eſtabliſhment of this office; and, as the perſons who held it were deſtined to act either in a civil or military capacity, to hear cauſes in the city, or to command armies in the field. They were aſſiſted in the firſt of theſe functions by a new inſtitution, that of the Centumvirs, or the Hundred, who were draughted from the Tribes, and appointed, during the year of their nomination, under the direction of the Prætors, to take cognizance of civil diſputes. The number of Tribes being now completed to thirty-five, and three of the Centumvirs being draughted from each, made the whole amount to a hundred and five (*t*).

The city, during the late deſtructive war, ſent abroad two colonies, one to Caſtrum Innui, a village of the Latins, the other to Firmium in the Picenum, on the oppoſite ſide of the peninſula, intended rather to guard and protect the coaſt, than to provide for any ſuperabundance of the people, whoſe numbers at this time underwent a con-

(*t*) Liv. Epitom. lib. xx.

ſiderable

ſiderable diminution (*u*); the rolls having decreaſed in the courſe of five years, from two hundred and ninety-ſeven thouſand two hundred and twenty-ſeven, to two hundred and fifty-one thouſand two hundred and twenty-two (*x*). The revenue, to which citizens who were accuſtomed to pay with their perſonal ſervice, had little to ſpare from their effects, and which was at all times probably ſcanty, being often exhauſted by the expences of the late war, brought the community under the neceſſity of acquitting itſelf of its debts, by diminiſhing the weight, or raiſing the current value of its coin. The aſs, which was the ordinary meaſure of valuation, being the libra, or pound of copper ſtamped, and hitherto containing twelve ounces, was reduced in its weight to two ounces (*y*).

The contribution now exacted from Carthage amounting to about two hundred and ſeventy-nine thouſand pounds, together with the rents to be collected in Sicily, were likely to be great acceſſions of wealth to ſuch a State.

The ſpoils of their enemies, for the moſt part, conſiſted of priſoners who were detained by the captor as his ſlaves, or ſent to market to be ſold. They had made a prize of twenty thouſand captives in their firſt deſcent upon Africa; and the number of ſlaves in Italy was already become ſo great as to endanger the State (z).

(*u*) Livy, in different places, mentions between thirty and forty Roman colonies ſubſiſting in Italy in the time of the ſecond Punic war (Liv. lib. xxvii. c. 9 & 38.). Velleius Paterculus reckons about forty planted in Italy after the recovery of Rome from its deſtruction by the Gauls (Lib. i. c. xv.). And Sigonius, collecting the names of all the colonies mentioned by any Roman writer as planted in Italy, has made a liſt of about ninety. But this matter, which ſo much intereſts this very learned antiquarian and many others, was become, as we have mentioned, a ſubject of mere curioſity, even in the times of the writers from whom our accounts are collected; as all the Italians were by that time admitted on the roll of Roman citizens by the law of L. Julius Cæſar, and in conſequence of the Marſic war. U. C. 663.

(*x*) Liv. Epitom. lib. xix. (*y*) Plin. Hiſt. Nat. lib. xxxiii. c. 8.

(*z*) Zonar. lib. ii. Oroſius, lib. ii. c. 7.

The

BOOK I.

The favourite entertainments of the People were combats of armed ſlaves, known by the name of gladiators, derived from the weapons with which they moſt frequently fought. Such exhibitions, it is ſaid, were firſt introduced in the interval between the firſt and ſecond Punic war, by a ſon of the family of Brutus, to ſolemnize the funeral of his father. Though calculated rather to move pity and cauſe horror, than to give pleaſure; yet, like all other ſcenes which excite hopes and fears, and keep the mind in ſuſpence, they were admired by the multitude, and became frequent on all ſolemn occaſions or feſtivals.

In the circumſtances or events which immediately followed the peace between Rome and Carthage, thoſe nations ſhewed the different tendency of their inſtitutions and manners. The Romans, in the very ſtruggles of a ſeemingly deſtructive conteſt, had acquired ſtrength and ſecurity, not only by the reputation of great victories, but ſtill more by the military ſpirit and improved diſcipline and ſkill of their people by ſea and by land. Although their ſubjects in Italy revolted, and their allies withdrew their ſupport, yet both were ſoon reduced, at the firſt appearance of thoſe veteran ſoldiers who had been formed in the ſervice of the preceding war.

The Carthaginians, on the contrary, had made war above twenty years without becoming more warlike; had exhauſted their reſources, and conſumed the bread of their own people in maintaining foreign mercenaries, who, inſtead of being an acceſſion of ſtrength, were ready to prey on their weakneſs, and to become the moſt formidable enemies to the ſtate they had ſerved. Their army, compoſed, as uſual, of hirelings from Gaul, Spain, and the interior parts of Africa, eſtimated their ſervices in the war which was then concluded at a higher value than the State was diſpoſed to allow,

and

and attempted to take by force what was refused to their representations and claims. Being assembled in the neighbourhood of Carthage to receive the arrears of their pay, the Senate wildly proposed, in consideration of the distressed condition of the public revenue, that they should make some abatement of the sums that were due to them. But the State, instead of obtaining the abatements which were thus proposed, only provoked men with arms in their hands to enter into altercations, and to multiply their claims and pretensions. The mercenaries took offence at the delays of payment, rose in their demands upon every concession, and marched at last to the capital, with all the appearances and threats of an open and victorious enemy. They issued a proclamation on their march, inviting all the provincial subjects of the commonwealth to assert their freedom, and, by the numbers that flocked to them from every quarter, became a mighty host, to which the city had nothing to oppose but its walls. To effectuate the reduction of Carthage, they invested Tunis and Utica, and submitted to all the discipline of war from the officers whom they themselves had appointed to command.

In this crisis, the republic of Carthage, cut off from all its resources and ordinary supplies, attacked with that very sword on which it relied for defence, and in a situation extremely deplorable and dangerous, having still some confidence in the ability of their Senators, and in the magnanimity of officers tried and experienced in arduous and perilous situations, was not altogether reduced to despair. Although the people had committed their arms into the hands of strangers, the command of armies had been still reserved to their own citizens; and now, by the presence and abilities of a few great men, they were taught to assume a necessary courage, to put themselves in a military posture,

and

BOOK I. and to maintain, during three years, and through a ſcene of mutual cruelties and retaliations, unheard of in the conteſts of nations at war, a ſtruggle of the greateſt difficulty. In this ſtruggle they prevailed at laſt by the total extirpation of this vile and outrageous enemy (*a*).

During the dependence of this odious revolt, in which a mercenary army endeavoured to ſubdue the State which employed them, the Romans preſerved that character for generoſity and magnanimity of which they knew ſo well how to avail themſelves, without loſing any opportunity that offered for the ſecure advancement of their power. They refrained from giving any countenance even againſt their rival to ſuch unworthy antagoniſts. They affected to diſdain taking any advantage of the preſent diſtreſſes of Carthage, and refuſed to enter into any correſpondence with a part of the rebel mercenaries, who, being ſtationed in Sardinia, offered to ſurrender that iſland into their hands. They prohibited the traders of Italy to furniſh the rebels with any ſupply of proviſions or ſtores, and abandoned every veſſel that preſumed to tranſgreſs theſe orders, to the mercy of the Carthaginian cruiſers which plied before the harbours of Tunis and Utica. Above five hundred Roman priſoners, ſeized by theſe cruizers, were detained in the jails of Carthage. At the termination, however, of this war, when the Carthaginians were far from being diſpoſed to renew any quarrel whatever, the Romans fixed on this as a ground of diſpute, complained of piracies committed againſt the traders of Italy, under pretence of intercepting ſupplies to the rebels; and, by threatening immediate war upon this account, obtained from the State itſelf a ſurrender of the iſland of Sardinia, which they had refuſed to accept from the rebels, and got an ad-

(*a*) Polyb. lib. i. c. 67.—fine.

dition

dition of two hundred talents to the ſum ſtipulated in the late treaty of peace, to make up for their pretended loſſes by the ſuppoſed unwarrantable capture of their ſhips (*b*).

Upon this ſurrender the Sardinians bore with ſome diſcontent the change of their ſovereigns; and, on the firſt prohibition of their uſual commerce with Carthage, to which they had been long accuſtomed, took arms, and endeavoured for ſome time to withſtand the orders which they were required to obey.

Soon after the Romans had reconciled theſe new acquired ſubjects to their government, had quelled a revolt in Tuſcany, and vanquiſhed ſome cantons of Liguria, whom it is ſaid they brought to ſubmit as faſt as the acceſs to that country could be opened, they found themſelves at peace with all the world (*c*); and, in token of this memorable circumſtance, ſhut the gates of the temple of Janus; a ceremony which the continual ſucceſſion of wars, from the reign of Numa to the preſent time, had prevented, during a period of four hundred and thirty years; a ceremony, which, when performed, marked a ſituation as tranſient as it was ſtrange and uncommon.

Freſh diſturbances in ſome of the poſſeſſions recently ſeized by the republic, and a quarrel of ſome importance that carried her arms for the firſt time beyond the Hadriatic, embroiled her anew in a ſucceſſion of wars and military adventures.

The Illyrians had become of late a conſiderable nation, and were a party in the negotiations and quarrels of the Macedonians and the Greeks. Having convenient harbours and retreats for ſhipping, they carried on a piratical war with moſt

(*b*) Polyb. lib. i. c. 88. lib. iii. c. 10. Appian de Bell. Punic. p. 4.
(*c*) Florus, lib. ii. c. 3. Eutrop. lib. ii.

of

BOOK I. of their neighbours, and, in particular, committed depredations on the traders of Italy, which it concerned the Romans, as the ſovereigns of this country, to prevent. They accordingly ſent deputies to complain of theſe practices, to demand a reparation of paſt injuries, and a ſecurity from any ſuch attempts for the future. The Illyrians at this time were under the government of Teuta, the widow of a king lately deceaſed, who held the reins of government as guardian to her ſon. This princeſs, in anſwer to the complaints and repreſentations of the Romans, declared, that in her kingdom no public commiſſion had ever been granted to make war on the Italians; but ſhe obſerved, that the ſeas being open, no one could anſwer for what was tranſacted there; and that it was not the cuſtom of kings to debar their ſubjects from what they could ſeize by their valour. To this barbarous declaration one of the Roman deputies replied, that his country was ever governed by different maxims; that they endeavoured to reſtrain the crimes of private perſons by the authority of the State, and ſhould, in the preſent caſe, find a way to reform the practice of kings in this particular. The queen was incenſed; and reſenting theſe words, as an inſult to herſelf, gave orders to waylay and aſſaſſinate the Roman deputy on his return to Rome *(d)*.

In revenge of this barbarous outrage, and of the former injuries received from that quarter, the Romans made war on the queen of Illyricum, obliged her to make reparation for the injuries ſhe had done to the traders of Italy, to evacuate all the towns ſhe had occupied on the coaſt, to reſtrain her ſubjects in the uſe of armed ſhips, and to forbid them to navigate the Ionian Sea with more than two veſſels in company.

(*d*) Polyb. lib. ii. c. 8.

The

The Romans, being desirous of having their conduct in this matter approved of by the nations of that continent, sent a copy of this treaty, together with an exposition of the motives which had induced them to cross the Adriatic, to be read in the assembly of the Achæan league. They soon after made a like communication at Athens and at Corinth, where, in consideration of the signal service they had performed against the Illyrians, then reputed the common enemy of civilized nations, they had an honorary place assigned them at the Isthmian games; and in this manner made their first appearance in the councils of Greece *(e)*. U. C. 525.

C H A P. IV.

(*e*) Polyb. lib. ii. c. 12. Appian in Illyr.

CHAP.

CHAP. V.

Progreſs of the Romans within the Alps.—Origin of the ſecond Punic War.—March of Hannibal into Italy—Progreſs.—Action on the Tecinus.—On the Trebia.—On the Lake Thraſimenus.—Battle of Cannæ.—Hannibal not ſupported from Carthage.—Sequel of the War.—In Italy.—And Africa.—Scipio's Operations.—Battle of Zama.—End of the War.

BOOK I.

THE city of Rome, and moſt of the diſtricts of Italy, during the dependence of the laſt enumerated wars which were waged at a diſtance and beyond the ſeas, began to experience that uninterrupted tranquillity in which the capital and interior diviſions of every conſiderable nation remain, even during the wars in which the ſtate is engaged. They had indeed one ſource of alarm on the ſide of Ciſalpine Gaul, which they thought it neceſſary to remove, in order to obtain that entire ſecurity to which they aſpired. The country of the Senones, from Senà Gallia to the Rubicon, they had already ſubdued, even before the arrival of Pyrrhus in Italy; but the richeſt and moſt fertile tracts on the Po were ſtill in the poſſeſſion of the Gauliſh nations; and it had been propoſed, about four years after the concluſion of the firſt Punic war, to erect a barrier againſt the invaſions of this people, by occupying with Roman colonies the country of the Senones, from Sena Gallia to the Rubicon. Although the inhabitants to be removed to make room for theſe ſettlements had been ſubject to the Romans above forty years, yet their brethren on the Po conſidered this act of violence

violence as an insult to the Gaulish name, resolved to avenge it, and invited their countrymen from beyond the Alps to take part in the quarrel. CHAP. V.

In consequence of their negotiations and concerts, in about eight years after the Romans were settled on the Rubicon, a great army of Gauls appeared on the Roman frontier. These nations used to make war by impetuous assaults and invasions, and either at once subdued and occupied the countries which they over-ran, or, being repulsed, abandoned them without any farther intention to persist in the war. Their tumultuary operations, however, were subjects of the greatest alarm at Rome, and generally produced a suspension of all the ordinary forms of the commonwealth. On a prospect of the present alarm from that quarter, the Senate, apprehending the necessity of great and sudden exertions of all their strength, ordered a general account to be taken of all the men fit to carry arms, whether on foot or on horseback, that could be assembled for the defence of Italy; and they mustered, on this famous occasion, above seven hundred thousand foot and seventy thousand horse (*f*). From this numerous return of men in arms, the State was enabled to make great detachments, which they stationed under the Consuls and one of the Prætors separately, for the defence of the commonwealth. The Gauls, having penetrated into Etruria, where the Prætor was stationed, attacked and obliged him to retire. The Consuls, however, being arrived with their several armies in different directions to support the Prætor, renewed the conflict with united force, and put the greater part of the Gaulish invaders to the sword.

(*f*) Polyb. lib. ii. c. 22.—24, &c. Liv. Epitom. lib. xxi.

BOOK I. In the year following, the Romans carried the war into the enemy's country; and, in about three U. C. 529. years more, passed the Po, and made themselves masters of all the plains on that river quite to the foot of the Alps. To secure this valuable acquisition they projected two colonies of six thousand men each, one at Cremona and the other at Placentia, on the opposite sides of the Po; but were disturbed in the execution of this project, first, by a revolt of the natives, who justly considered these settlements as military stations, intended to repress and keep themselves in subjection; and afterwards, by the arrival of a successful invader, who, by his conduct and implacable animosity, appeared to be the most formidable enemy that had ever attempted to shake the power, or to limit the progress, of the Roman State.

The republic had now enjoyed, during a period of twenty-one years from the end of the first Punic war, the fruits not only of that ascendant she had acquired among the nations of Italy, but those likewise of the high reputation she had gained, and of the great military power she had formed in the contest with Carthage. The wars that filled up the interval of peace with this principal antagonist, were either trivial or of short duration: and the city itself, though still rude in the form of its buildings and in the manners of its people, probably now began to pay a growing attention to the arts of peace. Laws are dated in this period which have a reference to manufacture and to trade. Clothiers are directed in the fabric of cloth (*g*), and carriers by water are directed in the size of their vessels.
U. C. 513. Livius Andronicus and Nævius introduced some species of dramatic entertainment, and found a favourable reception from the people to their farcical productions (*h*).

(*g*) Lex Metilia de Fullonibus. Lex Claudia.
(*h*) Cicer. in Bruto, p. 35. A Gall. lib. xvii. c. 21.

But

But whatever progreſs the people were now inclined to make in the uſeful or pleaſurable arts of peace, they were effectually interrupted, and obliged to bend the force of their genius, as in former times, to the arts of war, and to the defence of their ſettlements in Italy.

The Carthaginians had been for ſome time employed in Spain, making trial of their ſtrength, and forming their armies. In that Country Hamilcar, an officer of diſtinguiſhed fame in the late war with the Romans, and in that which enſued with the rebel mercenaries, had ſought refuge from that diſguſt and thoſe mortifications which, in the late treaty of peace, he felt from the abject councils of his country. And having found a pretence to levy new armies, he made ſome acquiſitions of territory, to compenſate the loſſes which Carthage had ſuſtained by the ſurrender of Sardinia and of Sicily.

Spain appears to have been to the trading nations of Greece, Aſia, and Africa, what America has been, though upon a larger ſcale, to the modern nations of Europe, an open field for new ſettlements, plantations, and conqueſts. The natives were brave, but impolitic, and ignorant of the arts of peace, occupied entirely with the care of their horſes and their arms. Theſe, ſays an hiſtorian, they valued more than their blood (*i*). They painted or ſtained their bodies, affected long hair with gaudy ornaments of ſilver and of gold. The men were averſe to labour, and ſubſiſted chiefly by the induſtry of their women. Their mountains abounded in mines of copper and of the precious metals; inſomuch that, on ſome parts of the coaſt, it was reported that the natives had veſſels and utenſils of ſilver employed in the moſt common uſes (*k*). A fatal report! ſuch as that which after-

(*i*) Juſtin, lib. xliv. c. 2. (*k*) Strabo, lib. iii.

BOOK I. wards carried the posterity of this very people, with so much destructive avidity, to visit the new world; and is ever likely to tempt the dangerous visits of strangers, who are ready to gratify their avarice and their ambition, at the expence of nations to whose possessions they have no reasonable or just pretension. The Spaniards were at this time divided into many barbarous hordes or small principalities, which could neither form any effectual concert to prevent the intrusion and settlement of foreigners, nor possessed the necessary docility by which to profit by foreign examples, whether in the form of their policy or the invention of arts.

The Carthaginians had made their first visits to Spain under pretence of supporting the colony of Gades, which, like themselves, was sprung from Tyre. They made a settlement under the name of new Carthage, in a situation extremely favourable to the communication of Spain with Africa, and in the neighbourhood of the richest mines. Hamilcar, after a few successful campaigns, in extending the bounds of this settlement, being killed in battle, was succeeded by his son-in-law, Hasdrubal, who continued for some years to pursue the same designs.

The Romans, in the mean while, were occupied on the coast of Illyricum, or amused with alarms from Gaul. They were sensible of the progress made by their rivals in Spain; but imagining that any danger from that quarter was extremely remote, or while they had wars at once on both sides of the Hadriatic, being unwilling to engage at the same time with so many enemies, were content with a negotiation and a treaty, in which they stipulated with the Carthaginians that they should not pass the Iberus to the eastward, nor molest the city of Saguntum. This hey considered as a proper barrier on that side, and professed for the inhabitants

inhabitants of that place the concern of allies. Trusting to the effect of this treaty, as sufficient to limit the progress of the Carthaginians in Spain, they proceeded, in the manner that has been mentioned, to contend with the Gauls for the dominion of Italy, which hitherto, under the frequent alarms they received from this people, was still insecure *(l)*.

Hasdrubal, after nine years service, being assassinated by a Spanish slave, who committed this desperate action in revenge of an injury which had been done to his master, was succeeded in the command of the Carthaginian troops in Spain by Hannibal, the son of Hamilcar. This young man, then of five and twenty years of age, had, when a child *(m)*, come into Spain with his father, seemed to inherit his genius, and preserved, probably with increasing animosity, his aversion to the Romans. Being reared and educated in camps, and from his earliest youth qualified to gain the confidence of soldiers, he, on the death of Hasdrubal, by the choice of the troops, was raised to the command of that army, and afterwards confirmed in it by the Senate of Carthage.

The Carthaginians had now for some time ceased to feel the defeats and the sufferings which had induced them to accept of the late disadvantageous conditions of peace, and were sensible only of the lasting inconveniencies to which that treaty exposed them. They had long felt, from the neighbourhood of the Romans, an insurmountable bar to their progress. They had felt, during above seventeen years from the date of their last treaty of peace, the loss of their maritime settlements, and the decline of their navigation. They had felt the load of a heavy contribution, which, though restricted to a particular sum, had the form of a tribute, in

(*l*) Polyb. lib. ii. c. 13.

(*m*) At nine years of age.

BOOK I. being exacted by annual payments; and they entertained ſentiments of animoſity and averſion to the Romans, which nothing but the memory of recent ſufferings and the apprehenſion of danger could have ſo long ſuppreſſed.

Hamilcar, together with a conſiderable party of the Senate, were ſuppoſed to have borne with the late humiliating peace, only that they might have leiſure to provide for a ſubſequent war. "I have "four ſons," this famous warrior had been heard to ſay, "whom I ſhall rear like ſo many lions "whelps againſt the Romans." In this ſpirit he ſet armies on foot to be trained and accuſtomed to ſervice in Spain, and had already projected the invaſion of Italy from thence.

Whatever may have been the military ſervices which the Carthaginians deviſed, the execution of them was ſecured by the coming of Hannibal to the head of their army. He was well formed for great enterpriſe, and profeſſed an hereditary averſion to the Romans. In the firſt and ſecond year of his command he continued the operations which had been begun by his predeceſſors in Spain; but during this time, although he made conqueſts beyond the Iberus, he did not moleſt the city of Saguntum, nor give any umbrage to the Romans. But, in the third year after his appointment, his progreſs alarmed the Saguntines, and induced them to ſend a deputation to Rome to impart their fears.

At the arrival of this deputation from Saguntum, the Romans had fitted out an armament under the command of the Conſul L. Emilius Paulus, deſtined to make war on Demetrius, the prince of Pharos, a ſmall iſland on the coaſt of Illyricum. This armament, if directed to Spain, might have ſecured the city of Saguntum againſt the deſigns of Hannibal; but the Romans ſtill conſidered any danger from that quarter as remote, and continued to

to employ this force in its firſt deſtination. They paid ſo much regard, nevertheleſs, to the repreſentations of the Saguntines, as to ſend deputies into Spain, with orders to obſerve the poſture of affairs, and to inform the Carthaginian officer on that ſtation, of the engagements which had been entered into by his predeceſſor, and of the concern which the Romans muſt undoubtedly take in the ſafety of Saguntum. The return which they had to this meſſage gave ſufficient intimation of an approaching war; and it appears that, before the Roman commiſſioners could have made their report, the ſiege of Saguntum was actually commenced by Hannibal. He had already formed his deſign for the invaſion of Italy, and, that he might not leave to the Romans a place of arms and a powerful ally in the country from which he was about to depart, determined to occupy or deſtroy that place. He was impatient to reduce Saguntum before any ſuccours could arrive from Italy, or before any force could be collected againſt him, ſo as to fix the theatre of the war in Spain. He preſſed the ſiege, therefore, with great impetuoſity, expoſing his perſon in every aſſault; and exciting, by his own example, with the pickaxe and ſpade, the parties at work in making his approaches *(n)*. Though abundantly cautious not to expoſe himſelf on ſlight occaſions, or from a mere oſtentation of courage, yet in this ſiege, which was the foundation of his hopes, and the neceſſary prelude to the farther progreſs of his enterprize, he declined no fatigue, and ſhunned no danger, that led to the attainment of his end. He was, nevertheleſs, by the valour of the beſieged, which they exerted in hopes of relief from Rome, detained about eight months before this place, and deprived at laſt of great part of its ſpoils by the deſperate reſolution of the citi-

(*n*) Polyb. lib. iii. c. 17.

zens,

BOOK I. U. C. 534. zens, who chose to perish, with all their effects, rather than fall into the enemy's hands. The booty, however, which he saved from this wreck enabled him, by his liberalities, to gain the affection of his army, and to provide for the execution of his design against Italy.

The siege of Saguntum, being an infraction of the late treaty with the Romans, was undoubtedly an act of hostility; and this people incurred a censure of remissness, uncommon in their councils, by suffering an ally, and a place of such importance, to remain so long in danger, and by suffering it at last to fall a prey to their enemy, without making any attempt to relieve it. It is probable, that the security they began to derive from a frontier, far removed from the seat of their councils, and covered on every side by the sea, or by impervious mountains, rendered them more negligent than they had formerly been of much slighter alarms. They expected to govern by the dread of their power, and proposed to punish, by exemplary vengeance, the insults which they had not taken care to prevent.

The attention of the Romans, during the dependence of this event, had been fixed on the settlements they were making at Cremona and Placentia, to keep in subjection the Gauls, and on the naval expedition which they had sent under the Consul Æmilius to the coast of Illyricum. This officer, about the time that Hannibal had accomplished his design on Saguntum, and was retired for the winter to his usual quarters at New Carthage, had succeeded in his attack on Demetrius prince of Pharos, had driven him from his territories, and obliged him to seek for refuge at the court of Macedonia, where his intrigues proved to be of some consequence in the sequel of these transactions.

The

CHAP. V.

The people at Rome being amuſed with theſe events, and with a triumphal proceſſion, which, as uſual, announced their victory, proceeded in the affairs of Spain according to the uſual forms, and agreeably to the laws which they had, from time immemorial, preſcribed to themſelves in the caſe of injuries received, ſent to demand ſatisfaction; complained at Carthage of the infraction of treaties; and required that Hannibal with his army ſhould be delivered up to their meſſengers; or, if this were refuſed, gave orders to denounce immediate war. The Roman commiſſioner, who ſpoke to this effect in the ſenate of Carthage, having made his demands, held up the lappet of his gown, and ſaid, "Here are both peace and war, chuſe ye." —He was anſwered, "We chuſe that which "you like beſt."—"Then it is war," he ſaid; U. C. 535. and from this time both parties prepared for the conteſt.

Hannibal had been long deviſing the invaſion of Italy, probably without communicating his deſign even to the councils of his own country. The war being now declared, he made his diſpoſitions for the ſafety of Africa and Spain; gave intimation to the army under his command, that the Romans had required them to be delivered up, as a beaſt which commits a treſpaſs is demanded in reparation for the damage he has done *(o)*. If they felt a proper reſentment of this indignity, he warned them to prepare for an arduous march. He was in the eight and twentieth year of his age when he entered upon the execution of this deſign; an undertaking which, together with the conduct of it, has raiſed his reputation for enterprize and ability to an equal, if not to a higher pitch, than that of any leader of armies whatever.

(*o*) Velut ob noxam ſibi dedi poſtularet populus Romanus. Liv. lib. xxi. c. 30.

The

BOOK I.

The Romans, a few years before, had muſtered near eight hundred thouſand men, to whom the uſe of arms was familiar, to whom valour was the moſt admired of the virtues, and who were ready to aſſemble in any numbers proportioned to the ſervice for which they might be required: the march from Spain into Italy lay acroſs tremendous mountains, and through the territory of fierce and barbarous nations, who might not be inclined tamely to ſuffer a ſtranger to paſs through their country, or loſe any opportunity to enrich themſelves with his ſpoils.

From ſuch topics as theſe, hiſtorians have magnified the courage of this celebrated warrior at the expence of his judgment. It is probable, however, that both were equally exerted in this memorable ſervice. In the conteſt of nations, that country, which is made the ſeat of the war, for the moſt part labours under great comparative diſadvantage, is obliged to ſubſiſt the army of its enemy as well as its own, is expoſed to devaſtation, to hurry, confuſion, and irreſolution of councils; ſo much that, in nations powerful abroad, invaſions often betray great incapacity and weakneſs, or at leaſt fix the whole ſufferings of the war upon thoſe who are invaded. Hannibal, beſides this general conſideration, had with great care informed himſelf of the real ſtate of Italy, and knew, that though the Roman muſters were formidable, yet much of their ſuppoſed ſtrength conſiſted of diſcordant parts; a number of ſeparate cantons recently united, and many of them diſaffected to the power by which they were cemented together. Moſt of the inhabitants of that country, being the deſcendants of different nations, and diſtinguiſhed by various languages, ſtill retained much animoſity to each other, and moſt of all to their new maſters. Thoſe who had longeſt borne the appellation of Roman allies, even the colonies themſelves, as well as the conquered

quered nations, had occasionally revolted, and were likely to prefer separate establishments to their present dependance on the Roman State. The Gauls and Ligurians, even the Etruscans, had been recently at war with those supposed masters of Italy, and were ready to resume the sword in concert with any successful invader. The Gauls on the Po were already in arms, had razed the fortifications which the Romans had begun to erect at Cremona and Placentia, and forced the settlers to take refuge at Mutina. Every step, therefore, that an invader should make within this country, was likely to remove a support from the Romans, and to add a new one to himself. The Roman power, composed of parts so ill cemented, was likely to dissolve on the slightest touch. Though great when employed at a distance, and wielded by a single hand, yet broken and disjointed by the presence of an enemy, it was likely to lose its strength; or, by the revolt of one or more of its districts, might furnish a force that could be successfully employed against itself. A few striking examples of success, therefore, for which he trusted to his own conduct, and to the superiority of veterans hardened in the service of many years, were likely to let loose the discontents which subsisted in Italy, and to shake the fidelity of those allies who composed so great a part of the Roman strength. Even with a less favourable prospect of success, the risk was but small, compared to the chance of gain. A single army was to be staked against a mighty State; and a few men, that could be easily replaced, were to be sacrificed in an enterprize, which, if successful, was to make Carthage the mistress of the world; or even if it should miscarry, might inflict her enemy with a deeper wound than she herself was likely to suffer from the loss.

Hannibal collected together for this expedition ninety thousand foot and twelve thousand horse.

In

BOOK I. In his march to the Iberus, he met with no interruption. From thence to the Pyrenees, being opposed by the natives, he forced his way through their country; but apprehending some inconvenience from such an enemy left in his rear, he stationed his brother Hanno, with ten thousand foot and one thousand horse, to observe their motions, and to keep them in awe. After he had begun to ascend the Pyrenees, a considerable body of his Spanish allies deserted him in the night, and fell back to their own country. This example, he had reason to believe, would prove contagious; and as the likeliest way to prevent its effects, he gave out, that the party which had left him, being no longer wanted for the purposes they served on the march, were returned by his orders to their own country. That he meant to spare a few more of the troops of the same nation, as being unnecessary in the remaining parts of the service; and actually dismissed a considerable body to confirm this opinion. By these separations, or by the swords of the enemy, his numbers, in descending the mountains, were reduced from ninety to fifty thousand foot and nine thousand horse, with seven and thirty elephants (*p*).

This celebrated march took place in the year of
U. C. 534. Rome five hundred and thirty-four, and in the consulate of Publius Cornelius Scipio and Tiberius Sempronius Longus. The Romans, as usual on such occasions, raised two consular armies, and proposed, by immediate armaments directed to Spain and to Africa, to fix the scene of the war in the enemy's country.

Sempronius assembled an army and a fleet in the ports of Sicily, and had orders to pass into Africa. Scipio embarked with some legions for Spain, and, touching on the coast of Gaul, first learned, that a

(*p*) Polyb. lib. iii. c. 35—42.

Cartha-

Carthaginian army was marching by land into Italy. This intelligence determined him to land his troops at Marſeilles, and to ſend out a detachment of horſe to obſerve the country, and to procure farther and more particular information of the enemy. CHAP. V.

Hannibal had arrived on the Rhône at ſome diſtance above its ſeparation into two channels, and about four days march from the ſea. In order to effect the paſſage of the river, he inſtantly collected all the boats that could be found on its extenſive navigation. At the ſame time, the natives, being unacquainted with ſtrangers in any other capacity than that of enemies, aſſembled in great numbers to diſpute his farther progreſs in their country.

Finding ſo powerful a reſiſtance in front, he delayed the embarkation of his army on the Rhône, and ſent a detachment up the banks of the river to paſs it at a different place, and to make a diverſion on the flank or the rear of the enemy who oppoſed him.

The diviſion employed on this ſervice, after a march of twenty-five miles, found the Rhône ſeparated into branches by ſmall iſlands, and at a convenient place got over on rafts to the oppoſite ſhore; and being thus in the rear, or on the right of the Gauliſh army, haſtened towards them, in order to give an alarm on that quarter while Hannibal ſhould paſs the river in their front.

On the fifth day after the departure of this party, Hannibal, having intelligence that they had ſucceeded in paſſing the Rhône, made his diſpoſition to profit by the diverſion they were ordered to make in his favour. The larger veſſels, which were deſtined to tranſport the cavalry, were ranged towards the ſtream, to break the force of the current; and many of the horſes were faſtened to the ſtern of the boats. The ſmaller canoes

were

BOOK I.

were ranged below, and were to carry over a body of foot.

The Gauls, ſeeing theſe preparations, left their camp, and advanced to meet the enemy. They were drawn up on the banks of the river, when the Carthaginian detachment arrived on their rear, and lighted fires as a ſignal of their approach. Hannibal obſerving the ſmoke, notwithſtanding the poſture which the enemy had taken to reſiſt his landing, inſtantly put off from the ſhore: both armies ſhouted; but the Gauls being thrown into great conſternation by the report and effects of an attack which they little expected on their rear, without reſiſtance gave way to the Carthaginians in front, and were ſpeedily routed. Hannibal, having thus lodged himſelf on the eaſtern banks of the Rhône, in a few days, without any farther interruption or loſs, paſſed that river with his elephants, baggage, and the remainder of his army.

Soon after the Carthaginian general had ſurmounted this difficulty, intelligence came that a Roman army had arrived on the coaſt, and was diſembarked at Marſeilles. To gain further and more certain information of this enemy, he, nearly about the ſame time that Scipio had ſent a detachment on the ſame deſign, directed a party of horſe to examine the country. Theſe parties met; and, after a ſmart engagement, returned to their ſeveral armies with certain accounts of an enemy being near.

Scipio advanced with the utmoſt diſpatch to fix the ſcene of the war in Gaul; and Hannibal haſtened his departure, being equally intent on removing it, if poſſible, into Italy. The laſt, in order to keep clear of the enemy, directed his march at a diſtance from the ſea coaſt, and took his route by the banks of the Rhône. After four days march from the place where he had paſſed this river, he came

to

to its confluence with another river, which was probably the Isere, though by Polybius himself, who visited the tract of this march, the place seems to be mistaken for the confluence of the Rhône and Saone (*q*). Here he found two brothers contending for the throne of their father, and gained an useful ally by espousing the cause of the elder. Being, in return for this service, supplied with arms, shoes, and other necessaries, and attended by the prince himself, who with a numerous body covered his rear, he continued his march during ten days, probably on the Isere, and about a hundred miles above the place where he had passed the Rhône, began to make his way over the summit of the Alps; a labour in which he was employed with his army during fifteen days (*r*).

The

(*q*) In the manuscripts of Polybius, the river which falls into the Rhône at this place was called by a name unknown in that country. The first editors, to correct the mistake, changed this unknown name for that of the Arar. But it is extremely probable, that they ought to have made it the Isara, as the confluence of the Isere and the Rhône corresponds much better with the distances and marches mentioned by Polybius. Four marches, for instance, from the place at which Hannibal had passed the Rhône, and four more from thence to the sea.

(*r*) This famous route has been a subject of different opinions, and of some controversy. In a country that is raised into vast mountains, round which the way must be found by narrow valleys, and the channels of rivers, it is impossible to decide any question of this sort from the map. Polybius visited the ground, in order to satisfy himself on the tract of this famous route; and, from this circumstance, as well as from his general knowledge of war, is undoubtedly the best authority to whom we can have recourse in this question. By his account, Hannibal, after four marches from the place at which he had passed the Rhône, came to the confluence of this with another river, which is evidently the Isere. From thence, having continued his route ten days on the river, and marched about a hundred miles, he began to ascend the summit, and was employed in that difficult work fifteen days. This account may incline us to believe, that Hannibal followed the course of the Isere from its confluence with the Rhône to about Conflans; that, having surmounted the summit, he descended into Italy by the channel of another river, or the Vale of Aoste. Such are the passages by which ridges of mountains, in every instance, are to be traversed. It is indeed asserted, or implied in the text of Polybius, that Hannibal marched ten days on the Rhône after its confluence with the Arar or Isara; but it is probable, that, in visiting a barbarous country, in which the Romans had yet no possessions, and with the language of which he was unacquainted, he may have mistaken the Isere for the Rhône, and consequently the Rhône for the Arar or Saone. The Rhône and Isere take their rise from the same ridge, and run nearly in the same directions. In this

account

BOOK I.

The natives, either fearing him as an enemy, or propofing to plunder his baggage, had occupied every poft at which they could obftruct his march; affailed him from the heights, endeavoured to overwhelm his army in the gorges of the mountains, or force them over precipices, which frequently funk perpendicular under the narrow paths by which they were to pafs.

Near to the fummits of the ridge, at which he arrived by a continual afcent of many days, he had his way to form on the fides of frozen mountains, and through maffes of perennial ice, which, at the approach of winter, were now covered with recent fnow. Many of his men and horfes, coming from a warm climate, perifhed by the cold; and his army having ftruggled, during fo long a time, with extremes to which it was little accuftomed, was reduced, from fifty thoufand foot and nine thoufand horfe, the numbers which remained to him in defcending the Pyrenees, to twenty thoufand foot and fix thoufand cavalry, a force, in all appearance, extremely difproportioned to the fervice for which they were deftined (*r*).

The Roman Conful, in the mean time, had, in fearch of his enemy, directed his march to the Rhône; and, in three days after the departure of Hannibal, had arrived at the place where he had

account of the courfe of the fuppofed Rhône which he vifited, he mentions nothing of the Lake of Geneva, which is fcarcely poffible, if he had feen it. Polyb. lib. iii. c. 47.

According to this conjecture, Hannibal, having marched by the vale of Ifere, Grenoble, Chamberry, and Mountmelian, and defcended by the vale of Aofte, muft have paffed the fummit at or near the leffer abbey of St. Bernard.

As mountains are penetrated by the channels of rivers, it is probable that Hannibal, if he were himfelf to explore his paffage, would try the courfe of the firft confiderable river he found on his right defcending from the Alps, which was the Ifere: but if, as is extremely probable, he had well-inftructed guides, it is not likely that they would lead him fo long a circuit as he muft have made by the courfe and fources of the Rhône, when, in fact, he had one equally practicable, and much nearer, by the Ifere on one fide of the Alps, and the Dorea Baltea on the other.

(*r*) Polyb. lib. iii. c. 55. Liv. lib. xxi.

paffed

paſſed that river; but was ſatisfied that any further attempts to purſue him in this direction, would only carry himſelf away from what was to be the ſcene of the war, and from the ground he muſt occupy for the defence of Italy; he returned therefore without loſs of time to his ſhips; ſent his brother, Cneius Scipio, with the greater part of the army, to purſue the object of the war in Spain; and he himſelf, with the remainder, ſet ſail for Piſa, where he landed and put himſelf at the head of the legions which he found in that quarter; and which had been appointed to reſtore the ſettlements of Cremona and Placentia. With theſe forces he paſſed the Po, and was arrived on the Tecinus, when Hannibal came down into the plain country at ſome diſtance below Turin.

The Carthaginian general, at his arrival in thoſe parts, had moved to his right; and, to gratify his new allies the Inſubres, inhabiting what is now the dutchy of Milan, who were then at war with the Taurini or Piedmonteſe, he laid ſiege to the capital of that country, and in three days reduced it by force. From thence he continued his march on the left of the Po; and, as the armies advanced, both generals, as if by concert, approached with their cavalry, or light troops, mutually to obſerve each other. They met on the Tecinus with ſome degree of ſurprize on both ſides, and were neceſſarily engaged in a conflict, which ſerved as a trial of their reſpective forces, and in which the Italian cavalry were defeated by the Spaniſh and African horſe. The Roman Conſul was wounded, and with much difficulty reſcued from the enemy by his ſon Publius Cornelius, afterwards ſo conſpicuous in the hiſtory of this war, but then only a youth of ſeventeen years of age, entering on his military ſervice (s).

(s) Polyb. lib. x. c. 3.

BOOK I.

The Roman detachment, it ſeems, had an eaſy retreat from the place of this encounter to that of their main army, and were not purſued. Scipio, diſabled by his wound, and probably, from the check he had received, ſenſible of the enemy's ſuperiority in the quality of their horſe, determined to retire from the plains; repaſſed the Po, marched up the Trebia, and, to ſtop the progreſs of the Carthaginians, while he waited for inſtructions or reinforcements from Rome, took poſt on the banks of that river. While he lay in this poſition, an alarming effect of his defeat, and of the diſaffection of ſome Gauls who profeſſed to be his allies, appeared in the deſertion of two thouſand horſemen of that nation, who went over to the enemy.

The Roman Senate received theſe accounts with ſurprize, and with ſome degree of conſternation. An enemy was arrived in Italy, and had obliged the Conſul, with his legions, to retire. The forces which they had lately muſtered were numerous, but conſiſted in part of doubtful friends, or of declared enemies. They ſuppoſed all their late vanquiſhed ſubjects on the Po to be already in rebellion, or to be muſtered againſt them in the Carthaginian camp. And, notwithſtanding the numerous levies that could have been made in the city, and in the contiguous colonies; notwithſtanding the expediency of carrying the war into Africa, as the ſureſt way of forcing the Carthaginians to withdraw their forces from Italy for the defence of their own country, they, with a degree of puſillanimity uncommon in their councils, ordered the other Conſul, Sempronius Longus, to deſiſt from his deſign upon Africa; they recalled him with his army from Sicily, and directed him, without delay, to join his colleague on the Trebia, and, if poſſible, to ſtop the progreſs of this daring and impetuous enemy.

The

The Consul Sempronius, therefore, after he had met and defeated a Carthaginian fleet on the coast of Sicily, and was preparing for a descent on Africa, suddenly changed his course, and, having turned the eastern promontories of Sicily and Italy, steered for Ariminum, where he landed; and, having performed this voyage and march in forty days, joined his colleague, where he lay opposed to Hannibal on the Trebia.

By the arrival of a second Roman Consul, the balance of forces was again restored, and the natives still remained in suspence between the two parties at war. Instead of a deliverance from servitude, which many of them expected to obtain from the arrival of foreigners to balance the force of the Romans, they began to apprehend, as usual in such cases, a confirmation of their bonds, or a mere change of their masters. When the contest should be ended, they wished to have the favour of the victor, and not to share in the fortunes of the vanquished. They had, therefore, waited to see how the scales were likely to incline, and had not repaired to the standard of Hannibal, in the manner, it is probable, he expected; and this, with every other circumstance of the war, forced him to rapid and hazardous counsels. Being too far from his resources to continue a dilatory war, he hastened to secure the necessary possessions on the Po; and, by the reputation of victory, to determine the wavering inhabitants to declare on his side. For these reasons he ever pressed on the enemy, and sought for occasions to draw them into action. He had been, ever since the encounter on the Tecinus, cautiously avoided by Scipio; who, even after he was reinforced by the other consular army, endeavoured to engage his colleague likewise in the same dilatory measures; but Sempronius, imputing this caution to the impression which Scipio had taken from his late defeat,

 and

BOOK I. and being confident of his own ſtrength, diſcovered to the Carthaginian general an inclination to meet him, and to decide the campaign by a general action. Sempronius was farther encouraged in this intention by his ſucceſs in ſome encounters of foraging parties, which happened ſoon after he had arrived on this ground; and Hannibal, ſeeing this diſpoſition of his enemy, took meaſures to bring on the engagement in circumſtances the moſt favourable to himſelf.

He had a plain in his front, through which the Trebia ran, and parted the two armies. He wiſhed to bring the Romans to his own ſide of the river, and to fight on the ground where his army was accuſtomed to form. Here, beſides the other advantages which he propoſed to take, he had an opportunity to place an ambuſcade, from which he could attack the enemy on the flank or the rear, while they ſhould be engaged in front. It was the middle of winter, and there were frequent ſhowers of ſnow. The enemy's infantry, if they ſhould ford the river, and afterwards remain any time inactive, were likely to ſuffer conſiderably from the effects of wet and cold. Hannibal, to lay them under this diſadvantage, ſent his cavalry acroſs the fords, with orders to parade on the ground before the enemy's lines; and, if attacked, to repaſs the river with every appearance of flight. He had, in the mean time, concealed a thouſand choſen men under the ſhrubby banks of a brook, which fell into the Trebia beyond the intended field of battle. He had ordered his army to be in readineſs, and to prepare themſelves with a hearty meal for the fatigues they were likely to undergo.

When the Carthaginian cavalry, paſſing the river as they had been ordered, preſented themſelves to the Romans, it was but break of day, and before the uſual hour of the firſt meal in the Roman camp. The legions were, nevertheleſs, haſtily

haſtily formed; and purſued the enemy to where they were ſeen in diſorder to paſs the river; and there, by the directions of their general, who ſuppoſed he had gained an advantage, and with the ardor which is uſual in the purſuit of victory, they paſſed the fords, and made a diſplay of their forces on the oppoſite bank. Hannibal, expecting this event, had already formed his troops on the plain, and made a ſhew of only covering the retreat of his cavalry, while he knew that a general action could no longer be avoided. After it began in front, the Romans were attacked in the rear by the party which had been poſted in ambuſh for this purpoſe; and this being added to the other diſadvantages under which they engaged, they were defeated with great ſlaughter.

The legions of the centre, to the amount of ten thouſand men, cut their way through the enemy's line, and eſcaped to Placentia. Of the remainder of the army, the greater part either fell in the field, periſhed in attempting to repaſs the river, or were taken by the enemy. In this action, although few of the Africans fell by the ſword, they ſuffered conſiderably by the cold and aſperity of the ſeaſon, to which they were not accuſtomed; and of the elephants, of which Hannibal had brought a conſiderable number into this country, only one ſurvived the diſtreſs of this day (*t*).

In conſequence of this victory, Hannibal ſecured his quarters on the Po; and, by the treachery of a native of Brunduſium, who commanded at Claſtidium, got poſſeſſion of that place, after the Romans had fortified and furniſhed it with conſiderable magazines for the ſupply of their own army. In his treatment of the priſoners taken at this place, he made a diſtinction between the citizens of Rome and their allies: the firſt he uſed with ſeverity, the others

(*t*) Polyb. lib. iii. c. 74.

BOOK I. others he diſmiſſed to their ſeveral countries, with aſſurances that he was come to make war on the Romans, and not on the injured inhabitants of Italy.

The Roman Conſul, Sempronius, was among thoſe who eſcaped to Placentia. He meant, in his diſpatches to the Senate, to have diſguiſed the amount of his loſs; but the difficulty with which his meſſenger arrived through a country over-run by the enemy, with many other conſequences of his defeat, ſoon publiſhed at Rome the extent of that calamity. The people, however, roſe in their ardour and animoſity, inſtead of being ſunk. As awakened from a dream of puſillanimity, in which they had hitherto ſeemed to confine their views to the defence of Italy, they not only commanded freſh levies to replace the army they had loſt on the Trebia, but they ordered the Conſul Scipio to his firſt deſtination in Spain, and ſent forces to Sardinia, Sicily, Tarentum, and every other ſtation where they apprehended any defection of their allies, or any impreſſion to be made by the enemy (*u*).

The unfortunate Sempronius, being called to the city to hold the election of magiſtrates, eſcaped, or forced his way through the quarters of the enemy. He was ſucceeded by Caius Flaminius and Cn. Servilius; the firſt, being of obſcure extraction, was choſen in oppoſition to the Nobles, to whom the people imputed the diſaſters of the preſent war. He was ordered early in the ſpring to take poſt at Arretium, that he might guard the paſſes of the Appenines and cover Etruria, while the other Conſul was ſtationed at Ariminum to ſtop the progreſs of the enemy, if he attempted to paſs by the eaſtern coaſt.

Hannibal,

(*u*) Polyb. lib. iii. c. 75.

CHAP. V.

Hannibal, after his firſt winter in Italy, took the field for an early campaign; and being inclined to counſels the moſt likely to ſurprize his enemies, took his way to Etruria, by a paſſage in which the vales of the Appenines were marſhy, and, from the effects of the ſeaſon, ſtill covered with water. In a ſtruggle of many days with the hardſhips of this dangerous march, he loſt many of his horſes and much of his baggage; and himſelf, being ſeized with an inflammation in one of his eyes, loſt the uſe of it. Having appeared, however, in a quarter where he was not expected, he availed himſelf of this degree of ſurprize with all his former activity and vigour.

The character of Flaminius, who was raiſed by the favour of the people in oppoſition to the Senate, and who was now diſpoſed to gratify his conſtituents by ſome action of ſplendor and ſucceſs, encouraged Hannibal to hope that he might derive ſome advantage from the ignorance and preſumption of his enemy. He therefore endeavoured to provoke the new Conſul, by deſtroying the country in his preſence, and to brave his reſentment, by ſeeming, on many occaſions, to expoſe himſelf to his attacks. He even ventured to penetrate into the country beyond him with an appearance of contempt. In one of theſe movements he marched by the banks of the Lake Thraſimenus, over which the mountains roſe with a ſudden and ſteep aſcent. He truſted that the Roman Conſul would follow him, and occupied a poſt from which with advantage to attack him, if he ſhould venture to engage amidſt the difficulties of this narrow way. On the day in which his deſign was ripe for execution, he was favoured in concealing his poſition on the aſcent of the mountains by a fog which covered the brows of the hills; and he ſucceeded in drawing the Roman Conſul into a ſnare, in which he periſhed, with the greater part of his army.

BOOK I.

The loſs of the Romans in this action amounted to fifteen thouſand men who fell by the ſword, or who were forced into the lake and drowned. Of thoſe who eſcaped by different ways, ſome continued their flight for fourſcore miles, the diſtance of this field of battle from Rome, and arrived in the city with the news of this diſaſtrous event. On the firſt reports great multitudes aſſembled at the place from which the People were accuſtomed to receive a communication of public diſpatches from the officers of State; and the Prætor, who then commanded in the city, being to inform them of what had paſſed, began his account of the action with theſe words; "We are vanquiſhed in a great "battle; the Conſul, with great part of his army, "is ſlain." He was about to proceed, but could not be heard for the conſternation and the cries which aroſe among the people: inſomuch, that perſons who had been preſent in the action confeſſed, they heard theſe words with a deeper impreſſion, than any they had received amidſt the bloodſhed and horrors of the field; and that it was then only they became ſenſible of the whole extent of their loſs.

To encreaſe the general affliction, farther accounts were brought, at the ſame time, that four thouſand horſe, which had been ſent, upon hearing that Hannibal had paſſed the Appenines, by the Conſul Servilius, to ſupport his colleague, were intercepted by the enemy and taken. The Senate continued their meetings for many days without interruption, and the People, greatly affected with the weight of their mortifications and diſappointments, committed themſelves with proper docility to the conduct of this reſpectable body. In conſidering the cauſe of their repeated defeats, it is probable that they imputed them more to the difference of perſonal qualities in the leaders, than to any difference in the arms, diſcipline, or courage of the

the troops. In reſpect to the choice of weapons, Hannibal was ſo much convinced of the ſuperiority of the Romans, that he availed himſelf of his booty on the Trebia and the Lake Thraſimenus, to arm his African veterans in their manner *(w)*. In reſpect to diſcipline and courage, although mere detachments of the Roman people were likely, in their firſt campaigns, to have been inferior to veterans, hardened in the ſervice of many years under Hamilcar, Haſdrubal, and Hannibal himſelf; yet nothing is imputed by any hiſtorian to this point of diſparity. They are not ſaid to have been backward in any attack, to have failed their general in the execution of any plan, to have diſobeyed his orders, to have been ſeized with any panic, or, in any inſtance, to have given way to the enemy, until, being caught in ſome ſnare by the ſuperiority of the general, they fought with diſadvantage, and periſhed in great numbers on the field.

The reſult of the Senate's deliberations was to name a Dictator. This meaſure, except to diſpenſe with ſome form that hampered the ordinary magiſtrate, had not been adopted during an interval of five and thirty years. The choice fell upon Quintus Fabius Maximus, who ſeemed to poſſeſs the vigilance, caution, and vigour which were wanted in this arduous ſtate of affairs. In proceeding to name him, the uſual form which, perhaps, in matters of ſtate, as well as in matters of religion, ſhould be ſuppoſed indiſpenſible, could not be obſerved. Of the conſuls, of whom one or the other, according to antient practice, ought to name the Dictator, one was dead; the other, being at a diſtance, was prevented by the enemy from any communication with the city. The Senate, therefore, to elude the ſuppoſed neceſſity of his preſence, reſolved that not a Dictator, but a Pro-dictator, ſhould

(w) Polyb. lib. iii. c. 115.

BOOK I. should be named; and that the people should themselves chuse this officer, with all the powers that were usually entrusted to the Dictator himself. Fabius was accordingly elected Pro-dictator, and in this capacity named M. Minutius Rufus for his second in command, or general of the horse.

While the Romans were thus preparing again to collect their forces, Hannibal continued to pursue his advantage. He might, with an enemy more easily subdued or daunted than the Romans, already have expected great fruit from his victories, at least he might have expected offers of concession and overtures of peace: but it is probable that he knew the character of this people enough, not to flatter himself so early in the war with these expectations, or to hope that he could make any impression by a nearer approach to the city, or by any attempt on its walls. He had already, by his presence, enabled the nations of the northern and western parts of Italy to shake off the dominion of Rome. He had the same measures to pursue with respect to the nations of the South. The capital, he probably supposed, might be deprived of the support of its allies, cut off from its resources, and even destroyed; but while the State existed, could never be brought to yield to an enemy.

Under these impressions the Carthaginian general, leaving Rome at a great distance on his right, repassed the Appenines to the coast of Picenum, and from thence directed his march to Apulia. Here he proceeded, as he had done on the side of Etruria and Gaul, to lay waste the Roman settlements, and to detach the natives from their allegiance to Rome. But while he pursued this plan in one extremity of Italy, the Romans took measures to recover the possessions they had lost on the other, or at least to prevent the disaffected Gauls from making any considerable diversions in favour of their enemy.

For

For this purpose, while Fabius Maximus was assembling an army to oppose Hannibal in Apulia, the Prætor, Lucius Posthumius, was sent with a proper force to the Po. Fabius having united the troops that had served under the Consul Servilius, with four legions newly raised by himself, followed the enemy. On his march he issued a proclamation, requiring all the inhabitants of open towns and villages in that quarter of Italy to retire into places of safety, and the inhabitants of every district to which the enemy approached, to set fire to their habitations and granaries, and to destroy whatever they could not remove in their flight (*x*). Though determined not to hazard a battle, he drew near to the Carthaginian army, and continued from the heights to observe and to circumscribe their motions. Time alone, he trusted, would decide the war in his favour, against an enemy who was far removed from any supply or recruit, and in a country that was daily wasting by the effect of their own depredations.

Hannibal, after endeavouring in vain to bring the Roman Dictator to a battle, perceived his design to protract the war; and considering inaction as the principal evil he himself had to fear, frequently exposed his detachments, and even his whole army, in dangerous situations. The advantages he gave by these acts of temerity were sometimes effectually seized by his wary antagonist, but more frequently recovered by his own singular conduct and unfailing resources.

In this temporary stagnation of Hannibal's fortune, and in the frequent opportunities which the Romans had, though in trifling encounters, to measure their own strength with that of the enemy, their confidence began to revive. The Public resumed the tranquillity of its Councils, and looked

(*x*) Liv. lib. xxii. c. 11.

round

BOOK I. round with deliberation to collect its force. The people and the army recovered from their late consternation, and took advantage of the breathing-time they had gained, to censure the very conduct to which they owed the returns of their confidence and the renewal of their hopes. They forgot their former defeats, and began to imagine that the enemy kept his footing in Italy, by the permission, by the timidity, or by the excessive caution of their leader.

A slight advantage over Hannibal, who had too much exposed his foraging parties, gained by the general of the horse in the absence of the Dictator, confirmed the army and the people in this opinion, and greatly sunk the reputation of Fabius. As he could not be superseded before the usual term of his office was expired, the Senate and People, though precluded by law from proceeding to an actual deposition, came to a resolution equally violent and unprecedented, and which they hoped might induce him to resign his power. They raised the general of the horse to an equal command with the Dictator, and left them to adjust their pretensions between them. Such affronts, under the notions of honour, which in modern times are annexed to the military character, would have made it impossible for the Dictator to remain in his station. But in a commonwealth, where, to put any personal consideration in competition with the public, would have appeared absurd; seeming injuries done by the State to the honour of a citizen, only furnished him with a more splendid occasion to display his virtue. The Roman Dictator continued to serve under this diminution of his rank and command, and overlooked with magnanimity the insults with which the people had requited the service he was rendering to his country.

CHAP. V.

Minutius being now aſſociated with the Dictator, in order to be free from the reſtraints of a joint command, and from the wary counſels of his colleague, deſired, as the propereſt way of adjuſting their pretenſions, to divide the army between them. In this new ſituation he ſoon after, by his raſhneſs, expoſed himſelf and his diviſion to be entirely cut off by the enemy. But being reſcued by Fabius, he too gave proofs of a magnanimous ſpirit, confeſſed the favour he had received, and committing himſelf, with the whole army, to the conduct of his colleague, he left this cautious officer, during the remaining period of their joint command, to purſue the plan he had formed for the war (*y*).

At this time, however, the People, and even the Senate, were not willing to wait for the effect of ſuch ſeemingly languid and dilatory meaſures as Fabius was inclined to purſue. They reſolved to augment the army in Italy to eight legions, which, with an equal number of the allies, amounted to eighty thouſand foot and ſeven thouſand two hundred horſe; and they intended, in the approaching election of Conſuls, to chuſe men, not only of reputed ability, but of deciſive and reſolute counſels. As ſuch they elected C. Terentius Varro, ſuppoſed to be of a bold and dauntleſs ſpirit; and, in order to temper his ardour, joined with him in the command L. Emilius Paulus, an officer of approved experience, who had formerly obtained a triumph for his victories in Illyricum, and who was high in the confidence of the Senate, as well as in that of the People.

In the autumn before the nomination of theſe officers to command the Roman army, Hannibal had ſurpriſed the fortreſs of Cannæ on the Aufidus, a place to which the Roman citizens of that quarter had retired with their effects, and at which they

(*y*) Plutarch, in vit. Fab. Max.

had

BOOK I.

had collected considerable magazines and stores. This, among other circumstances, determined the Senate to hazard a battle, and to furnish the new Consuls with instructions to this effect.

These officers, it appears, having opened the campaign on the banks of the Aufidus, advanced by mutual consent within six miles of the Carthaginian camp, which covered the village of Cannæ. Here they differed in their opinions, and, by a strange defect in the Roman policy, which, in times of less virtue, must have been altogether ruinous, and even in these times was ill fitted to produce a consistent and well-supported series of operations, had no rule by which to decide their precedency, and were obliged to take the command each a day in his turn.

Varro, contrary to the opinion of his colleague, proposed to give battle on the plain, and with this intention, as often as the command devolved upon him, still advanced on the enemy. In order that he might occupy the passage and both sides of the Aufidus, he encamped in two separate divisions on its opposite banks, having his larger division on the right of the river, opposed to Hannibal's camp. Still taking the opportunity of his turn to command the army, he passed with the larger division to a plain, supposed to be on the left of the Aufidus, and there, though the field was too narrow to receive the legions in their usual form, he pressed them together, and gave the enemy, if he chose it, an opportunity to engage. To accommodate his order to the extent of his ground, he contracted the head, and the intervals of his manipules or columns, making their depth greatly to exceed the front which they turned to the enemy(z).

(z) Ποιεων το βαθος εν ταις Σπειραις Πολλαπλασιον τȣ μετωπȣ. Vid. Polyb.

He

He placed his cavalry on the flanks, the Roman knights on his right towards the river, and the horſemen of the allies on the left.

Hannibal no ſooner ſaw this movement and diſpoſition of the enemy, than he haſtened to meet them on the plain which they had choſen for the field of action. He likewiſe paſſed the Aufidus, and, with his left to the river and his front to the ſouth, formed his army upon an equal line with that of the enemy.

He placed the Gauliſh and Spaniſh Cavalry on his left facing the Roman knights, and the Numidians on his right facing the allies.

The flanks of his infantry, on the right and the left, were compoſed of the African foot, armed in the Roman manner, with the pilum, the heavy buckler, and the ſtabbing ſword. His centre, though oppoſed to the choice of the Roman legions, conſiſted of the Gauliſh and the Spaniſh foot, variouſly armed and intermixed together.

Hitherto no advantage ſeemed to be taken on either ſide. As the armies fronted ſouth and north, even the Sun, which roſe ſoon after they were formed, ſhone upon the flanks, and was no diſadvantage to either. The ſuperiority of numbers was greatly on the ſide of the Romans; but Hannibal reſted his hopes of victory on two circumſtances; firſt, on a motion to be made by his cavalry, if they prevailed on either of the enemy's wings; next on a poſition he was to take with his centre, in order to begin the action from thence, to bring the Roman legions into ſome diſorder, and expoſe them, under that diſadvantage, to the attack which he was prepared to make with his veterans on both their flanks.

The action accordingly began with a charge of the Gauliſh and Spaniſh horſe, who, being ſuperior to the Roman knights, drove them from their ground, forced them into the river, and put the greater

BOOK I. greater part of them to the ſword. By this event the flank of the Roman army, which might have been joined to the Aufidus, was entirely uncovered.

Having performed this ſervice, the victorious cavalry had orders to wheel at full gallop round the rear of their own army, and to join the Numidian horſe on their right, who were ſtill engaged with the Roman allies. By this unexpected junction, the left wing of the Roman army was likewiſe put to flight, and purſued by the African horſe; at the ſame time the Spaniſh cavalry prepared to attack the Roman infantry, wherever they ſhould be ordered on the flank, or the rear.

While theſe important events took place on the wings, Hannibal amuſed the Roman legions of the main body with a ſingular movement that was made by the Gauls and Spaniards, and with which he propoſed to begin the action. Theſe came forward, not in a ſtreight line abreaſt, but ſwelling out to a curve in the centre, without disjoining their flanks from the African infantry, who remained firm on their ground.

By this motion they formed a kind of creſcent convex to the front. The Roman manipules of the right and the left, fearing, by this ſingular diſpoſition to have no ſhare in the action, haſtened to bend their line into a correſponding curve, and, in proportion as they came to cloſe with the enemy, charged them with a confident and impetuous courage. The Gauls and Spaniards reſiſted this charge no longer than was neceſſary to awaken the precipitant ardour with which victorious troops often blindly purſue a flying enemy. And the Roman line being bent, and fronting inwards to the centre of its concave, the legions purſued where the enemy led them. Hurrying from the flanks to ſhare in the victory, they narrowed their ſpace as they advanced, and the men who were accuſtomed

to

to have a ſquare of ſix feet clear for wielding their arms, being now preſſed together, ſo as to prevent entirely the uſe of their ſwords, found themſelves ſtruggling againſt each other for ſpace, in an inextricable and hopeleſs confuſion. CHAP. V.

Hannibal, who had waited for this event, ordered a general charge of his cavalry on the rear of the Roman legions, and at the ſame time an attack from his African infantry on both their flanks; by theſe diſpoſitions and joint operations, without any conſiderable loſs to himſelf, he effected an almoſt incredible ſlaughter of his enemies. With the loſs of no more than four thouſand, and U. C. 537. theſe chiefly of the Spaniſh and Gauliſh infantry, he put fifty thouſand of the Romans to the ſword.

The Conſul, Emilius Paulus, had been wounded in the ſhock of the cavalry; but when he ſaw the condition in which the infantry were engaged, he refuſed to be carried off, and was ſlain (*a*). The Conſuls of the preceding year, with others of the ſame rank, were likewiſe killed. Of ſix thouſand horſe only ſeventy troopers eſcaped with Varro. Of the infantry three thouſand fled from the carnage that took place on the field of battle, and ten thouſand who had been poſted to guard the camp were taken.

The unfortunate Conſul, with ſuch of the ſtragglers as joined him in his retreat, took poſt at Venuſia; and with a noble confidence in his own integrity, and in the reſources of his country, put himſelf in a poſture to reſiſt the enemy, till he could have inſtructions and reinforcements from Rome (*b*).

(*a*) He has received from the poet the following honourable grave: Animæque magnæ prodigum Paulum ſuperante Pœno. Hor. Car. lib. i. Ode 12.

(*b*) Liv. lib. xxiii.

BOOK I.

This calamity which had befallen the Romans in Apulia, was accompanied with the defeat of the Prætor Posthumius, who, with his army, on the other extremity of the country, was cut off by the Gauls. A general ferment arose throughout all Italy. Many cantons of Grecian extraction, having been about sixty years subject to Rome, now declared for Carthage. Others, feeling themselves released from the dominion of the Romans, but intending to recover their liberties, not merely to change their masters, now waited for for an opportunity to stipulate the conditions on which they were to join the victor. Of this number were the cities of Capua, Tarentum, Locri, Metapontus, Crotona, and other towns in the south-east of the peninsula. In other cantons, the people being divided and opposed to each other with great animosity, severally called to their assistance such of the parties at war as they judged were most likely to support them against their antagonists. Some of the Roman colonies, even within the districts that were open to the enemy's incursions, still adhered to the metropolis; but the possessions of the republic were greatly reduced, and scarcely equalled what the State had acquired before the expulsion of Pyrrhus from Italy, or even before the annexation of Campania, or the conquest of Samnium. The allegiance of her subjects and the faith of her allies in Sicily were greatly shaken. Hiero, the king of Syracuse, who had some time, under the notion of an alliance, cherished his dependance on Rome, being now greatly sunk in the decline of years, could no longer answer for the conduct of his own court, and died soon after this event, leaving his successors to change the party of the vanquished for that of the victor.

Hitherto the nations of Greece and of Asia had taken no part in the contest of those powerful rivals.

vals. But the Romans having already interfered in the affairs of Greece, and made their ambition be felt beyond the Adriatic and the Ionian ſea, the news of their ſuppoſed approaching fall was received there with attention: it awakened the hopes of many who had ſuffered from the effects of their power. Among theſe Demetrius, the exiled king of Pharos, being ſtill at the court of Macedonia, and much in the confidence of Philip, who had recently mounted the throne of that kingdom, urging that it was impoſſible to remain an indifferent ſpectator in the conteſt of ſuch powerful nations, perſuaded the king to prefer the alliance of Carthage to that of Rome, and to join with Hannibal in the reduction of the Roman power; obſerving, that with the merit of declaring himſelf while the event was yet in any degree uncertain, the king of Macedonia would be juſtly entitled to a proper ſhare of the advantages to be reaped in the conqueſt.

CHAP. V.

Philip accordingly endeavoured to accommodate the differences which he had to adjuſt with the Grecian States, and ſent an officer into Italy to treat with Hannibal, and with the Carthaginian deputies who attended the camp. In the negociation which followed it was agreed, that the king of Macedonia and the republic of Carthage ſhould conſider the Romans as common enemies; that they ſhould purſue the war in Italy with their forces united, and make no peace but on terms mutually agreeable to both. In this treaty the intereſt of the prince of Pharos was particularly attended to; and his reſtoration to the kingdom from which he had been expelled by the Romans, with the recovery of the hoſtages which had been exacted from him, were made principal articles (*c*).

Hannibal, from the time of his arrival in Italy, after having made war for three years in that coun-

(*c*) Liv. lib. xxxiii. c. 33.

BOOK I. try, had received no supply from Africa, and seemed to be left to pursue the career of his fate with such resources as he could devise for himself; but this alliance with the king of Macedonia, promised amply to make up for the deficiency of his aids from Carthage; and Philip, by an easy passage into Italy, was likely to furnish him with every kind of support or encouragement that was necessary to accomplish the end of the war.

The Romans were apprised of this formidable accession to the power of their enemy, as well as of the general defection of their own allies, and of the revolt of their subjects. Though taxes were accumulated on the people, and frequent loans obtained from the commissaries and contractors employed in the public service, their expences began to be ill supplied. There appeared not, however, in their councils, notwithstanding all these circumstances of distress, the smallest disposition to purchase safety by mean concessions of any sort. When the vanquished Consul returned to the city, in order to attend the nomination of a person who, in this extremity of their fortunes, might be charged with the care of the commonwealth, the Senate, as conscious that he had acted at Cannæ by their own instructions, and had, upon the same motives that animated the whole Roman People, disdained, with a superior army, to stand in awe of his enemy, or to refuse him battle upon equal ground, went out in a kind of procession to meet him; and, upon a noble idea, that men are not answerable for the strokes of fortune, nor for the effects of superior address in an enemy, they overlooked his temerity and his misconduct in the action; they attended only to the undaunted aspect he preserved after his defeat, returned him thanks for not having despaired of the commonwealth *(d)*; and from thence forward con-

(*d*) In the famous and admired expression, Quia de republica non desperâsset.

tinued

CHAP. V.

tinued their preparations for war, with all the dignity and pride of the moſt proſperous fortune. They refuſed to ranſom the priſoners who had been taken by the enemy at Cannæ, and treated with ſullen contempt, rather than ſeverity, thoſe who by an early flight had eſcaped from the field; being petitioned to employ them again in the war, "We "have no ſervice," they ſaid, "for men who "could leave their fellow citizens engaged with an "enemy." They ſeemed to riſe in the midſt of their diſtreſs, and to gain ſtrength from misfortune. They prepared to attack or to reſiſt at once, in all the different quarters to which the war was likely to extend, and took their meaſures for the ſupport of it in Spain, in Sardinia and Sicily, as well as in Italy. They continued their fleets at ſea; not only obſerved and obſtructed the communications of Carthage with the ſeats of the war, but having intercepted part of the correſpondence of Philip with Hannibal, they ſent a powerful ſquadron to the coaſt of Epirus; and, by an alliance with the States of Etolia, whom they perſuaded to renew their late war with Philip, found that prince ſufficient employment on the frontiers of his own kingdom, effectually prevented his ſending any ſupply to Hannibal, and, in the ſequel, reduced him to the humiliating neceſſity of making a ſeparate peace.

In the ordinary notions which are entertained of battles and their conſequences, the laſt victory of Hannibal at Cannæ, in the ſequel of ſo many others that preceded it, ought to have decided the war; and ſucceeding ages have blamed this general for not marching directly to the capital, in order to bring the conteſt to a ſpeedy termination by the reduction of Rome itſelf. But his own judgment is of much more weight than that of the perſons who cenſure him. He knew the character of the Romans and his own ſtrength. Though victorious, he was greatly weakened by his victories, and at a diſtance

BOOK I. distance from the means of a reinforcement or supply. He was unprovided with engines of attack; and, so far from being in a condition to venture on the siege of Rome, that he could not undertake even that of Naples, which, after the battle of Cannæ, refused to open its gates; and, indeed, soon after this date he received a check from Marcellus in attempting the siege of Nola *(e)*.

The Romans, immediately after their disaster at Cannæ, prepared again to act on the offensive, formed a fresh army of five and twenty thousand men, which they sent, under the Dictator Junius Pera, to collect the remains of their late vanquished forces, and to annoy the enemy wherever they might find them exposed.

Hannibal kept in motion with his army to protect the cantons that were inclined to declare on his side; but, together with the extent and multiplication of his new possessions, which obliged him to divide his army in order to occupy and to secure them, he became sensible of his weakness; and, with the accounts sent to Carthage of his victories, he likewise sent representations of his losses, and demanded a supply of men, of stores, and of money. He was indeed in his new situation so much in want of these articles, that, having in the three first years of the war apparently raised the reputation of Carthage to the greatest height, and procured to his country more allies and more territory in Italy than were left in the power of the Romans, together with Capua, and other cities, more wealthy than Rome itself, and surrounded with lands better cultivated, and more full of resources, yet his affairs from thenceforward began to decline.

Armies are apt to suffer, no less from an opinion, that all the ends of their service are obtained, than they do from defeats, and from despair of success.

(*e*) Liv. lib. xxiii. c. 14, 15, 16.

The

The soldiers of Hannibal, now elated with victory, perhaps grown rich with the plunder of the countries they had over-run, and of the armies they had defeated; and presuming, that the war was at an end, or that they themselves ought to be relieved, or sent to enjoy the rewards of so glorious and so hard a service, became remiss in their discipline, or indulged themselves in all the excesses, of which the means were to be found in their present situation. Being mere soldiers of fortune, without a country, or any civil ties to unite them together, they were governed by the sole authority of their leader, and by their confidence in his singular abilities. Although there is no instance of their openly mutinying against him in a body, there are many instances of their separately and clandestinely deserting his service. The Spanish and Numidian horse, in particular, to whom he owed great part of his victories, upon some disappointment in their hopes, or upon a disgust taken at the mere stagnation of his fortune, went over in troops and squadrons to the enemy *(f)*. His hopes from the side of Macedonia were entirely disappointed, the power of that nation having full employment at home *(g)*. He found himself unable, without dividing his forces, to preserve his recent conquests, or to protect the Italians who had declared for him. Some of his possessions, therefore, he abandoned or destroyed; and the natives of Italy, become the victims of his policy, or left to the mercy of the Romans whom they had offended, became averse to his cause, or felt that they could not rely on his power to protect them *(h)*. Moved by these considerations, he made earnest applications at Carthage for reinforcements and supplies, to enable him to continue the war. But the councils of that

(*f*) Liv. lib. xxiii. c. 46.
(*g*) Ibid. lib. xxvi. c. 28—29. Lib. xxviii. c. 4.
(*h*) Ibid. lib. xxvii. c. 1 and 16.

BOOK I. republic, though abject in misfortune, were insolent or remiss in prosperity. Being broken into factions, the projects of one party, however wise, were frustrated by the opposition of the other. One faction received the applications of Hannibal with scorn. "Do victories," they said, "reduce armies to the want of reinforcements and "of supplies, even against the very enemies they "had vanquished? And do the acquisitions of "Hannibal require more money and men to keep "them than were required to make them? Other "victorious generals are proud to display the "fruits of their conquests, or bring home the "spoils of their enemies to enrich their own "country, instead of draining it to support a career of vain and unprofitable victories."

These invectives concluded with a motion, which, on the supposition that the advantages gained by Hannibal were real, was well-founded in wisdom and sound policy: that the occasion should be seized to treat with the Romans, when the State had reason to expect the most advantageous terms. But this council either was, or appeared to be, the language of faction; and no measures were adopted, either to obtain peace, or effectually to support the war.

The friends as well as the enemies of Hannibal, contributed to the neglect with which he was treated. In proportion as his friends admired him, and gloried in his fortune, they acted as if he alone were able to surmount every difficulty; and they accordingly were remiss in supporting him. The republic, under the effects of this wretched policy, with all the advantages of her navigation and of her trade, suffered her navy to decline, and permitted the Romans to obstruct, or molest, all the passages by which she could communicate with her armies in Spain and Italy,

or her allies in Sicily and Greece (*i*). They voted indeed to Hannibal, on the preſent occaſion, a re-inforcement of four thouſand Numidian horſe, forty elephants, and a ſum of money. But this reſolution appears to have languiſhed in the execution; and the armament, when ready to ſail, was ſuffered to be diverted from its purpoſe, and ordered to Spain inſtead of Italy (*k*).

Notwithſtanding theſe mortifications and diſappointments, Hannibal ſtill kept his footing in Italy for ſixteen years; and ſo long gave ſufficient occupation to the Romans, in recovering, by ſlow and cautious ſteps, what he had raviſhed from them in three years, and by a few daring examples of ability and valour. When the war had taken this turn, and the Romans, by the growing ſkill and ability of their leaders, as well as by the unconquerable ſpirit of their people, began to prevail, Hannibal, receiving no ſupport directly from Africa, endeavoured to procure it from Spain by the junction of his brother Haſdrubal, to whom he recommended a ſecond paſſage over the Alps, in imitation of that which he himſelf had accompliſhed. Every attempt of this ſort, however, had been defeated, during ſix years, by the vigour and abilities of the two Scipios, Cnæius and Publius, and afterwards by the ſuperior genius of the young Publius Scipio, who, ſucceeding the father and the uncle, as will be ſeen in the ſequel, ſupported, with freſh luſtre, the cauſe of his country.

The two Scipios, after ſome varieties of fortune, though, while they acted together, they were generally ſucceſsful, having, in the ſeventh year of this war, ſeparated their forces, were both, within the ſpace of forty days, betrayed or deſerted by

(*i*) Liv. lib. xxviii. c. 4.

(*k*) Ibid. lib. xxiii. c. 13. and 32.

their allies, and cut off by the ſuperior force of the enemy.

The natives of Spain had, by their want of union and military ſkill, as has been mentioned, ſuffered many foreign eſtabliſhments to be made in their country; they had permitted the Carthaginians, in particular, to poſſeſs themſelves of a conſiderable territory; but afterwards, in order to remove them from thence, accepted of the protection of the Romans; and, in the ſequel, occaſionally applied to either of theſe parties for aid againſt the other, being, during the greater part of this war, the unſtable friends, or irreſolute enemies of both.

A ſervice of ſo much danger, ſo little in public view, and at a diſtance from the principal ſcenes of the war, was not ſought for as an opportunity to accumulate fame. The young Scipio, fired with the memory of his father and of his uncle, who had fallen in that ſervice, and, inſtead of being deterred by their fate, eager to revenge their fall, courted a command, which every other Roman is ſaid to have declined. This young man, as has been obſerved, had begun his military ſervices, in the firſt year of this war, on the Tecinus, where he had the good fortune to reſcue his father. He was afterwards preſent at the battle of Cannæ, and was one of the few, who, from that diſaſtrous field, forced their way to Canuſium. Being choſen commander by thoſe who eſcaped to this place, he prevented the effect of a deſperate reſolution they had taken to abandon Italy. Many of the ſeverer forms of the commonwealth having been diſpenſed with in the preſent exigencies of the State, Scipio had been choſen Edile, though under the legal ſtanding and age, being only turned of twenty-four, one year younger than Hannibal was when he took the command of the army

army in Spain, and four years younger than he was when he marched into Italy. CHAP. V.

Such particulars relating to men of ſuperior genius and virtue, are in the higheſt degree intereſting to mankind. It is even pleaſing to know, that this young man was, according to Livy, tall and graceful in his perſon, with a beautiful countenance, and engaging aſpect.

The Romans had been hitherto preſerved in all the extremities of their fortune by the ſuperiority of their national character, and by means of political eſtabliſhments, which, although they do not inſpire men with ſuperior genius, yet raiſe ordinary citizens to a degree of elevation approaching to heroiſm; enabling the ſtates they compoſe to ſubſiſt in great dangers, and to await the appearance of ſuperior men. They had not yet oppoſed to Hannibal an officer of ſimilar talents, or of a like ſuperiority to the ordinary race of mankind. Scipio was the firſt who gave indubitable proofs of his title to this character. (*l*). Upon his arrival in Spain, with a fleet of thirty gallies, and ten thouſand men, he found the remains of the vanquiſhed Romans retired within the Iberus, where, under the command of T. Fonteius and Lucius Marcius, they had ſcarcely been able to withſtand the further progreſs of the enemy (*m*). There he accordingly landed, and fixed his principal quarters for the winter at Tarragona. By his information of the poſture of the enemy, it appeared, that they had placed all their magazines and ſtores at New Carthage; and that, thinking this place ſufficiently ſecured by a garriſon of a thouſand men, they had ſeparated their army into three diviſions, and were gone into different directions to extend their poſſeſſions, or to cover the territories they had acquired. Of theſe divſions, none

(*l*) Liv. lib. xxvi. c. 18, 19, &c. (*m*) Ibid. lib. xxvi. c. 19. and 20.

tories

BOOK I. were nearer to their principal ſtation than ten days march.

Upon theſe informations, Scipio formed a project to ſurprize the town of New Carthage, though at a diſtance from Tarragona of above three hundred miles. He reſted his hopes of ſucceſs on the ſecurity of his enemies, and on the proſpect of being able to accompliſh the greater part of his march before his deſign ſhould be ſuſpected, or before any meaſures could be taken to prevent him. For this purpoſe, he diſcloſed it to Lælius alone; and gave him orders to ſteer for that place with his fleet, while he himſelf made haſty marches by land. This city was ſituated, like Old Carthage, on a peninſula, or neck of land, ſurrounded by the ſea. Scipio took poſt on the Iſthmus, fortified himſelf towards the continent, from which he had reaſon to expect ſome attempt would be made to relieve the place, and ſecured himſelf on that ſide, before he attacked the town.

In his firſt attempt on the ramparts he was repulſed; but obſerving, that at low water, the walls were acceſſible at a weaker place than that at which he had made his aſſault; and having encouraged his men, by informing them, that the God of the ſea had promiſed to favour them, which they thought to be verified by the ſeaſonable ebb which enſued, he there planted his ladders, and forced his way into the town. Here he made a great booty in captives, money, and ſhips *(u)*.

In this manner Scipio conducted his firſt exploit in Spain; and having carried on the war with equal ability and ſucceſs for five years, he obliged the Carthaginians, after repeated defeats, to abandon that country. He himſelf, while Haſdrubal attempted to join his brother Hannibal in Lucania, and Mago to make a diverſion in his favour in Liguria,

(u) Polyb. lib. x. c. 9—15—17. Appian de Bell. Hiſpan.

guria, returned to Rome. He was yet under thirty years of age, and not legally qualified to bear the office of Conſul. But having an unqueſtionable title to the higheſt confidence of his country, the ſervices which he had already performed procured a diſpenſation in his favour. He was accordingly raiſed to the Conſulate; and when the provinces came to be aſſigned to the officers of ſtate, he moved that Africa ſhould be included in the number, and be allotted to himſelf: "There," he ſaid, "the Carthaginians may receive the deepeſt "wounds, and from thence be the ſooneſt obliged "for their own ſafety to recal their forces from "Italy."

This motion was unfavourably received by the greater part of the Senate; it ſeemed to be a matter of ſurprize, that, while Rome itſelf lay between two hoſtile armies, that of Hannibal in Brutium, and that of Mago in Liguria or Gaul, the Conſul ſhould propoſe to ſtrip the republic of ſo great a force as would be neceſſary for the invaſion of Africa (*o*). The fatal miſcarriage of Regulus on that ground in a former war, the unhappy effects of precipitant counſels in the beginning of the preſent, were cited againſt him; and the deſire of ſo arduous a ſtation was even accounted preſumptuous in ſo young a man.

Among the difficulties which Scipio met with in obtaining the conſent of the Senate to the execution of his plan, is mentioned the diſinclination of the great Fabius, who, from a prepoſſeſſion in favour of that dilatory war, by which he himſelf had acquired ſo much glory; and by which, at a time when procraſtination was neceſſary, he had retrieved the fortunes of his country, obſtinately oppoſed the adopting of this hazardous project.

(*o*) Appian de Bell. Punic. p. 4.

It

BOOK I.

It had been, for the moſt part, an eſtabliſhed maxim in the counſels of Rome, to carry war, when in their power, into the enemy's country. They had been prevented in the preſent caſe only by the unexpected appearance of Hannibal in Italy, and were likely to return to the execution of their firſt deſign as ſoon as their affairs at home ſhould furniſh them with a ſufficient reſpite. We may, therefore, conceive what they felt of the difficulties of the preſent war, from this and other circumſtances; that even after fortune had ſo greatly inclined in their favour, they did not yet think themſelves in condition to retaliate on the enemy; or ſafe againſt the deſigns which Hannibal might form in Italy, if they ſhould divide their forces, or detach ſo great a part of them as might be neceſſary to execute the project of a war in Africa.

They concluded, however, at laſt, with ſome heſitation, that Scipio, while the other Conſul ſhould remain oppoſed to Hannibal in Italy, might have for his province the iſland of Sicily, diſpoſe of the forces that were ſtill there, receive the voluntary ſupplies of men and of money, which he himſelf might be able to procure; and if he found, upon mature deliberation, a proper opportunity, that he might make a deſcent upon Africa. Agreeably to this reſolution, he ſet out for the province aſſigned him, having a conſiderable fleet equipped by private contribution, and a body of ſeven thouſand volunteers, who embarked in high expectation of the ſervice in which he propoſed to employ them *(p)*.

While Scipio, by his exertions in Spain, was riſing to this degree of eminence in the councils of his country, the war, both in Sicily and in Italy, had been attended with many ſignal events, and funiſhed many proofs of diſtinguiſhed ability in the

(*p*) Appian de Bell. Punic.

courſe

course of its operations, highly interesting to those who are qualified to receive instruction from such examples of conduct, and from the experience of great events. But in the summary account of the steps by which the Romans ascended to empire, we can only point out the tract by which they advanced; and, with a few general observations on the means, hasten to contemplate the end which they attained.

The fortunes of Hannibal, as we have already remarked, had been some time on the decline. Capua and Tarentum, notwithstanding his utmost efforts to preserve them, had been taken by the Romans. While the first of these places was besieged, he endeavoured to force the enemies lines; and being repulsed, made a feint, by a hasty march towards Rome itself, to draw off the besiegers. By this movement he obtained a sight of that famous city; but again retired without having gained any advantage from this intended diversion. His allies, in Sicily, were entirely overwhelmed by the reduction of Syracuse; but that which chiefly affected his cause, by cutting off all hopes of future supplies or reinforcements, was the fall of his brother Hasdrubal. This officer had found means to elude the forces of Scipio in Spain; and attempted, by pursuing the tract of his brother into Italy, to join him in that country. In this design he actually surmounted all the difficulties of the Pyrenees and of the Alps, had passed the Po and the Rubicon, and advanced to the Metaurus before he met with any considerable check. There, at last, he encountered with the Roman Consuls, M. Claudius Nero and M. Livius Salinator, and was defeated with the loss of his whole army, amounting to fifty thousand men, of whom not one escaped being taken or slain (*q*).

(*q*) Liv. lib. xxvii. c. 49.

On

BOOK I.

On this occaſion, the Romans, who had ſo long left their poſſeſſions in the country a prey to the enemy, began to enjoy ſome degree of ſecurity, returned to their ruined habitations, and reſumed the labours of the field. Hannibal, as overwhelmed with deſpair or affliction, confeſſed, that he could no longer be in doubt of the fate that awaited his country (*r*). From this time he contracted his quarters, withdrew his poſts from Apulia, gave intimation to all his allies in Italy, who had much to fear from the reſentment of the Romans, that they ſhould retire under the covert of his army in Brutium. Here he himſelf remained on the defenſive; and, as if ſenſible that his career in Italy was nearly at an end, erected thoſe curious monuments which are cited by Polybius, and on which were recorded the particulars of his march from Spain to Italy, and the numbers of his army at different periods of the war (*s*).

In the following year, Mago, as we have obſerved, being unable to effect any conſiderable ſervice in Spain, had orders to make ſail for Italy, and once more endeavour to reinforce the army of Hannibal. But, having loſt ſome time in a fruitleſs attempt on New Carthage, and a report in the mean time having ſpread of Scipio's intention to invade Africa, he received a ſecond order to land at Genua; and, that he might diſtract or employ the forces of the Romans at home, endeavour to rekindle the war in Liguria and Gaul.

Such was the ſtate of affairs when Scipio propoſed to invade Africa, paſſed into Sicily, and employed the whole year of his Conſulate in making preparations. In this interval, however, having acceſs by ſea to the coaſts which were occupied by Hannibal in Italy, he forced the town of Locri,

(*r*) Agnoſcere ſe fortunam Carthaginis. Liv. lib. xxvii. fine.
(*s*) Liv. lib. xxviii. fine.

and

and poſted a garriſon there, under the command of Pleminius, an officer, whoſe ſingular abuſes of power became the ſubjects of complaint at Rome, and drew ſome cenſure on Scipio himſelf, by whom he was employed, and ſuppoſed to be countenanced.

Scipio was ſaid, on this occaſion, not only to have connived at the outrages committed by Pleminius, whom he had ſtationed at Locri, but to have been himſelf, while at Syracuſe, abandoned to a life of effeminacy and pleaſure, unworthy of a perſon entruſted with ſo important a command. It may appear ſtrange, that this cenſure ſhould ariſe from his having ſhewn a diſpoſition at Syracuſe to become acquainted with the learning of the Greeks. His enemies gave out, that he affected the manners of that people; that he paſſed his time among books, and in public places of converſation and exerciſe. Upon theſe ſurmiſes, a commiſſion was granted to the Prætor of Sicily, with ten Senators, two Tribunes of the People, and one of the Ediles, who had orders to join the Prætor in that iſland. To theſe inſtructions were given, that if they found Scipio acceſſary to the diſorders committed at Locri, or reprehenſible in his own conduct, they ſhould ſend him in arreſt to Rome: but that, if they found him innocent, he ſhould continue in his command, and be ſuffered to carry the war wherever he thought moſt expedient for the good of the commonwealth.

The members of this formidable court of inqueſt, having landed at Locri, in their way to Sicily, ordered Pleminius, with thirty of his officers, in chains to Rome: and from Locri, proceeding to Syracuſe, they reported from thence, that Scipio was no way acceſſary to the crimes committed by the troops in garriſon at Locri: and that within the diſtrict of his own immediate command the allies were fully protected, and the

BOOK I. troops preserved in such order and discipline (*t*), as, whenever they should be employed, gave the most encouraging prospect of victory.

Such was the report in favour of this young man, who appears to have been the first Roman statesman or warrior, who shewed any considerable disposition to become acquainted with the literature and ingenious arts of the Greeks. In this particular, his Carthaginian rival is said to have advanced before him, having long studied the language and learning of those nations; and having in his retinue some persons from Greece to aid him in the use of their writings.

Scipio, while he commanded the Roman army in Spain, having already conceived his design upon Africa, had with this view opened a correspondence with Syphax, king of Numidia; and had actually made a visit in person to this prince, who, being at variance with Carthage, was easily prevailed upon to promise his support to the Romans, in case they should carry the war into that country. The Roman general, now ready to embark with a considerable army, sent Lælius with the first division, probably to examine the coast, to chuse a proper station at which to fix the assembling of his fleet, and to call upon the king of Numidia to perform his engagements.

This division of the fleet, at its first appearance, was supposed to bring the Roman Proconsul, with all his forces, from Sicily; and the Carthaginians, whatever reason they might, for some time, have had to expect this event, were, in a great measure, unprepared for it. They had their levies to make at home, and troops to hire from abroad; their fortifications were out of repair, and their stores and magazines unfurnished. Even their fleet was not in a condition to meet that of the enemy.

(*t*) Liv. lib. xxix. c. 20.

They

They now hastened to supply these defects; and, though undeceived with respect to the numbers and force of the first embarkation, they made no doubt that they were soon to expect another; accordingly they continued their preparations, and took every measure to secure themselves, or to avert the storm with which they were threatened.

They had recently made their peace with Syphax, king of Numidia; and, instead of an enemy in the person of this prince, had obtained for themselves a zealous ally. He had broke off his engagements with Scipio and the Romans, tempted by his passion for Sophonisba, the daughter of Hasdrubal, a principal citizen of Carthage, who refused to marry him on any other terms. But this transaction, which procured to the Carthaginians one ally, lost them another: for this high-minded woman, who, instead of a dower, contracted for armies in defence of her country, had formerly captivated Massinissa, another Numidian prince, that, being deprived of his kingdom by Syphax, had received his education, and formed his attachments, at Carthage (*u*). Massinissa, while he had hopes of an alliance with the family of Hasdrubal, engaged all his partizans in Numidia in behalf of the Carthaginians; and he himself fought their battles in person. But, stung with his disappointment, and the preference which was given to his rival, he determined to court the favour of their enemies; had made advances to Scipio, before his departure from Spain; and now, hearing of the arrival of the Roman fleet, hastened to Hippo, where Lælius had come to an anchor, and made offer of his assistance, with that of his friends in the kingdom of Numidia.

(*u*) Appian de Bell. Hispan. p. 275.

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Such was the ſtate of parties in Africa, when this country was about to become the ſcene of war. The Carthaginians, ſtill in hopes of diverting the ſtorm, ſent earneſt inſtructions to both their generals to preſs upon the Romans in Italy, and to make every effort to diſtract or to occupy their forces, and to leave them no leiſure for the invaſion of Africa. They ſent, at the ſame time, an embaſſy to the king of Macedonia, to remind him of the engagements into which he had entered with Hannibal, and to repreſent the danger to which he and every other prince muſt be expoſed from a people ſo ambitious as the Romans, if they were ſuffered to unite, by a conqueſt, the reſources of Carthage with thoſe of Rome.

Philip, at the earneſt intreaty of many Grecian ſtates, who were anxious that the Romans ſhould have no pretext to embroil the affairs of Greece, had, in the preceding year, made a ſeparate peace, firſt with the Etolians, and afterwards with the Romans themſelves (*w*); and was now extremely averſe to renew the quarrel. The occaſion, however, appeared to be of great moment; and he liſtened ſo far to the remonſtrances of the Carthaginians, as to furniſh them with a body of four thouſand men, and a ſupply of money.

By ſuch meaſures as theſe, haſtily taken on the approach of danger, the Carthaginians endeavoured to make amends for the former remiſſneſs of their counſels. Hitherto they appear to have conſidered the war with little concern, and to have left their exertions to the ambition of a ſingle family, by whom the State was engaged in this quarrel (*x*). They neglected their ſtrength at home, in proportion as they believed the enemy to be at a diſtance; and were indifferent to national objects, while their private intereſts were ſecure.

(*w*) Liv. lib. xxix. c. 13.

(*x*) The ſons of Hamilcar.

The

The harbour of Hippo, about fifty miles weſt from Carthage, and under the Fair Promontory, being ſeized by Lælius, furniſhed a place of reception for Scipio's fleet. This officer accordingly failed from Sicily with fifty armed galleys, and four hundred tranſports. As he had reaſon to expect, that the country would be laid waſte before him, great part of this ſhipping was employed in carrying his proviſions and ſtores. The numbers of his army are not mentioned. His firſt object was to make himſelf maſter of Utica, ſituated about half way between Carthage and Hippo, the place where he landed. He accordingly, without loſs of time, preſented himſelf before it; but ſoon found himſelf unable to execute his purpoſe. The country, to a conſiderable diſtance, was laid waſte or deſerted by the natives, and could not ſubſiſt his army. The Carthaginians had a great force in the field, conſiſting of thirty thouſand men, under Haſdrubal the ſon of Giſgo, together with fifty thouſand foot and ten thouſand horſe, under Syphax king of Numidia, who now advanced to the relief of Utica.

Scipio, on the junction and approach of theſe numerous armies, retired from Utica, took poſſeſſion of a peninſula on the coaſt, fortified the iſthmus which led to it, and in this ſtation having a ſafe retreat, both for his fleet and his army, continued to be ſupplied with proviſions by ſea from Sardinia, Sicily, and Italy. But being thus reduced to act on the defenſive in the preſence of a ſuperior enemy, and not likely, without ſome powerful reinforcements from Italy, to make any further impreſſion on Africa, he had recourſe to a ſtratagem which, though amounting nearly to a breach of faith, was ſuppoſed to be allowed in war with an African enemy.

The combined armies of Carthage and Numidia lay in two ſeparate encampments, and, it being winter,

BOOK I. winter, were lodged in huts covered with brushwood and the leaves of the palm. In these circumstances the Roman general formed a design to set fire to their camp, and, in the midst of the confusion which that alarm might occasion, to attack them in the night. In order to gain a sufficient knowledge of the ground, and of the ways by which his emissaries must pass in the execution of this design, he entered into a negotiation, and affected to treat of conditions for terminating the war. His deputies, under this pretence, being freely admitted into the enemy's station, brought him minute information of their position, and of the avenues which led to different parts of their camp.

Scipio being possessed of these informations, broke off the treaty, advanced with his army in the night, and, in many different places at once, set fire to Hasdrubal's camp. The flames, being easily caught by the dry materials, spread with the greatest rapidity. The Carthaginians, supposing that these fires were accidental, and having no apprehension of the presence of an enemy, ran without arms to extinguish them: And the Numidians, with still less concern, left their huts to gaze on the scene, or to lend their assistance. In this state of security and confusion Scipio attacked and dispersed them with great slaughter *(y)*; and being, in consequence of this action, again master of the field, he returned to Utica, and renewed the siege or blockade of that place.

In such a surprize and defeat as the African armies had now received, they were likely to have lost their arms and their baggage, and to have no where sufficient numbers together to withstand an enemy; on this supposition, it had been already proposed at Carthage to have recourse to their last

(*y*) Polyb. lib. xiv. c. 5. Liv. lib. xxx. c. 6.

resort,

CHAP. V.

refort, the recalling of Hannibal from Italy. But this motion, upon a report from Hafdrubal and Syphax, that they were again arming and affembling their forces, and that they were joined by a recruit of four thoufand men newly arrived from Spain, was for fome time laid afide. Thefe hopes, however, were fpeedily blafted by a fecond defeat which the combined army received before they were fully affembled, and by a revolution which enfued in the kingdom of Numidia, where Syphax, purfued by Maffiniffa and Lælius, was vanquifhed and driven from his kingdom, which from thenceforward became the poffeffion of his rival, and a great acceffion of ftrength to the Romans. On this calamity Hafdrubal being threatened by the populace of Carthage with vengeance for his repeated mifcarriages, and being aware of the relentlefs and fanguinary fpirit of his countrymen, durft not truft himfelf in their hands; and in a fpecies of exile, with a body of eight thoufand men that adhered to him, withdrew from their fervice.

In this extremity there was no hope but in the prefence of Hannibal; and expreffes were accordingly fent both to Mago and himfelf, to haften their return into Africa, with all the forces they could bring for the defence of their country.

Hannibal, it is probable, had for fome time been prepared for this meafure, having tranfports in readinefs to embark his army; yet he is faid to have received the order with fome expreffions of rage. "They have now accomplifhed, he faid (fpeaking "of the oppofite faction at Carthage), what, by "withholding from me the neceffary fupports in "this war, they have long endeavoured to effect. "They have wifhed to deftroy the family of "Barcas; and rather than fail in their aim, are "willing to bury it at laft under the ruins of their "country (z)."

(z) Liv. lib. xxx. c. 20.

While

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While the Carthaginians were thus driven to their laſt reſource, Scipio advanced towards their city, and inveſted at once both Tunis and Utica, which, though at the diſtance of above thirty miles from each other, may be conſidered as baſtions on the right and the left, which flanked and commanded the country which led to this famous place. His approach gave the citizens a freſh alarm, and ſeemed to bring their danger too near to ſuffer them to await the arrival of relief from Italy. It appeared neceſſary to ſtay the arm of the victor by a treaty; and thirty Senators were accordingly deputed to ſue for peace. Theſe deputies, in their addreſs to the Roman Proconſul, laid the blame of the war upon Hannibal, ſupported, as they alleged, by a deſperate faction who had adopted his wild deſigns. They intreated that the Romans would once more be pleaſed to ſpare a republic which was again brought to the brink of ruin by the precipitant counſels of a few of its members.

In anſwer to this abject requeſt, Scipio mentioned the terms upon which he ſuppoſed that the Romans would be willing to treat of a peace. A ceſſation of arms was agreed to, and a negotiation commenced; but it was ſuddenly interrupted and prevented of its final effect by the arrival of Hannibal. This general, after many changes of fortune, having taken the neceſſary precautions to ſecure his retreat, in caſe he ſhould be called off for the defence of Carthage; now in the ſeventeenth year of the war, and after he had ſupported himſelf ſixteen years in Italy, by the ſole force of his perſonal character and abilities, againſt the whole weight, inſtitutions, reſources, diſcipline, and na-
U. C. 551. tional character of the Romans, tranſported his army from thence, landed at Hadrumetum, at a diſtance from any of the quarters occupied by the Romans, and drew to his ſtandard all the remains

of

of the lately vanquiſhed armies of Carthage, and all the forces which the republic was yet in a ſtate to ſupply. CHAP. V.

This event produced a change in the counſels of Carthage, and inſpired the people with freſh preſumption. They now ſlighted the faith which they had lately engaged to Scipio, and ſeized on all the Roman veſſels, which, truſting to the ceſſation of arms, had taken refuge in their bay. They even inſulted the meſſenger whom the Roman general ſent to complain of this outrage; and thus hoſtilities, after a very ſhort truce, were renewed with redoubled animoſity and rancour on both ſides.

The people of Carthage, under dreadful apprehenſions of becoming a prey to the Romans, ſent a meſſage to Hannibal, then at Hadrumetum, to haſten his march, requeſting him to attack the enemy, and at any hazard to relieve the city from the dangers and hardſhips of a ſiege. To this meſſage he made anſwer, That in affairs of State the Councils of Carthage muſt decide; but in the conduct of war, the general who commands muſt judge of his opportunity to fight.

The forcing of Hannibal to evacuate Italy was a victory to Scipio; as this was the firſt fruit which he ventured to promiſe from the invaſion of Africa. With this enemy, however, in his rear, it was not expedient to continue the attack of Tunis or Utica. He withdrew his army from both theſe places, and prepared to contend for the poſſeſſion of the field.

The Carthaginian leader, having collected his forces at Hadrumetum, marched to the weſtward, intending to occupy the banks of the Bagrada, and from thence to obſerve and counteract the operations of his enemy. Scipio, intending to prevent him, or to occupy the advantageous ground on the Upper Bagrada, took his route to the ſame country;

BOOK I. country; and while both directed their march to Sicca, they met on the plains of Zama.

When the armies arrived on this ground, neither party was in condition to protract the war. Hannibal, whose interest it would have been to avoid any hazardous measures, and to tire out his enemy by delays, if he were in possession of his own country, or able to protect the capital from insult, was in reality obliged to risk the whole of its fortunes, in order to rescue it from the hands of the enemy, or to prevent their renewing the blockade.

Scipio was far advanced in an enemy's country, which was soon likely to be deserted by its natives, and exhausted of every means of subsistence; he was far removed from the sea, the principal and only secure source of any lasting supply; surrounded by enemies; a great army under Hannibal in his front; the cities of Utica, Carthage, and Tunis, with all the armed force that defended them, in his rear.

In such circumstances, both parties probably saw the necessity of immediate action; and the Carthaginian general, sensible of the unequal stake he was to play, the safety of his country against the fortune of a single army, whose loss would not materially affect the State from whence they came, chose to try the effect of negotiation, and for this purpose desired a personal interview with Scipio.

In compliance with this request, the Roman general put his army in motion, and the Carthaginians advancing at the same time, they halted at the distance of thirty stadia, or about three miles, from each other. The generals, attended by a few horse, met on an eminence between their lines. Hannibal began the conference, by expressing his regret that the Carthaginians should have aimed at any conquests beyond their own coasts in Africa, or the Romans beyond those of Italy. "We began,"

" gan," he said, " with a contest for Sicily; we " proceeded to dispute the possession of Spain, and " we have each in our turns seen our native land " over-run with strangers, and our country in dan- " ger of becoming a prey to its enemies. It is " time that we should distrust our fortune, and " drop an animosity which has brought us both to " the verge of destruction. This language indeed " may have little weight with you, who have been " successful in all your attempts, and who have " not yet experienced any reverse of fortune; but " I pray you to profit by the experience of others. " You now behold in me a person who was once " almost master of your country, and who am now " brought, at last, to the defence of my own. I " encamped within five miles of Rome, and of- " fered the possessions round the Forum to sale. " Urge not the chance of war too far. I now of- " fer to surrender, on the part of Carthage, all " her pretensions to Spain, Sardinia, Sicily, and " every other island that lies between this conti- " nent and yours. I wish only for peace to my " country, that she may enjoy undisturbed her an- " tient possessions on this coast; and I think, that " the terms I offer you are sufficiently advan- " tageous and honourable to procure it."

To this address Scipio replied, " That the Ro- " mans had not been aggressors in the present or " preceding wars with Carthage: that they strove " to maintain their own rights, and to protect their " allies; and that, suitably to these righteous in- " tentions, they had been favoured by the justice " of the gods: that no one knew better than him- " self the instability of human affairs, nor should " be more on his guard against the chances of " war. The terms," he said, " which you now " propose might have been accepted of, had you " offered them while yet in Italy, and had pro- " posed, as a prelude to the treaty, to remove " from

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" from thence; but now, that you are driven " from every poſt, you propoſe to ſurrender, and " are forced not only to evacuate the Roman ter- " ritory, but are ſtripped of part of your own. " Theſe conceſſions are no longer ſufficient; they " are no more than a part of the conditions al- " ready agreed to by your countrymen, and " which they, on your appearance in Africa, ſo " baſely retracted. Beſides what you now offer, " it was promiſed on their part, that all Roman " captives ſhould be reſtored without ranſom; that " all armed ſhips ſhould be delivered up; that a " ſum of five thouſand talents ſhould be paid, and " hoſtages given by Carthage for the performance " of all theſe articles.

" On the credit of this agreement we granted a " ceſſation of arms, but were ſhamefully betrayed " by the councils of Carthage. Now to abate any " part of the articles which were then ſtipulated, " would be to reward a breach of faith, and to in- " ſtruct nations hereafter how to profit by perfidy. " You may therefore be aſſured, that I will not ſo " much as tranſmit to Rome any propoſal that " does not contain, as preliminaries, every article " formerly ſtipulated, together with ſuch additi- " onal conceſſions as may induce the Romans " to renew the treaty. On any other terms than " theſe, Carthage muſt vanquiſh, or ſubmit at diſ- " cretion *(a)*."

From this interview both parties withdrew with an immediate proſpect of action; and on the following day, neither having any hopes of advantage from delay or ſurprize, came forth into the plain in order of battle.

Hannibal formed his army in three lines with their elephants in front.

(a) Polyb. lib. xv. c. 6. 7, 8.

Scipio

Scipio drew forth his legions in their usual divisions, but somewhat differently disposed.

Hannibal had above eighty elephants, with which he proposed to begin the action. Behind these he formed the mercenary troops, composed of Gauls, Ligurians, and Spaniards. In a second line he placed the Africans and natives of Carthage; and in a third line, about half a quarter of a mile behind the first, he placed the veterans who had shared with himself in all the dangers and honours of the Italian war. He placed his cavalry in the wings, opposite to those of the enemy.

Scipio posted Lælius with the Roman cavalry on his left, and Massinissa with the Numidian horse on his right. He placed the manipules, or divisions of the legions, not as usual, mutually covering their intervals, but covering each other from front to rear. His intention in this disposition was to leave continued avenues or lanes, through which the elephants might pass without disordering the columns. At the head of each line he placed the Velites, or irregular infantry, with orders to gall the elephants, and endeavour to force them back upon their own lines; or if this could not be effected, to fly before them into the intervals of the heavy-armed foot, and, by the ways which were left open between the manipules, to conduct them into the rear. It being the nature of these animals, even in their wild state, to be the dupes of their own resentment, and to follow the hunter by whom they are galled into any snare that is prepared for them (*b*); the design thus formed by Scipio to mislead them, accordingly proved successful. As soon as the cavalry began to skirmish on the wings, Hannibal gave the signal for the elephants to charge. They were received by a

(*b*) Vid. Buff. Hist. Nat.

shower

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ſhower of miſſile weapons from the Roman light infantry, and, as uſual, carried their riders in different directions. Some broke into their own line with conſiderable diſorder, others fled between the armies and eſcaped by the flanks, and many, incited with rage, as Scipio had foreſeen, purſued the enemy that galled them through the intervals of the Roman diviſions quite out of the action; and in a little time the front of the two armies was cleared of theſe animals, and of all the irregulars who had ſkirmiſhed between them in the beginning of the battle.

In the mean time the firſt and ſecond line of Hannibal's foot had advanced, to profit by the impreſſion which the elephants were likely to make. The Third line ſtill remained on its ground, and ſeemed to ſtand aloof from the action.

In this poſture, the firſt line of the Carthaginian army, compoſed of Gauls and Ligurians, engaged with the Roman legions; and, after a ſhort reſiſtance, were forced back on the ſecond line, who having orders not to receive them, nor allow them to paſs, preſented their arms. The fugitives were accordingly maſſacred on both ſides, and fell by the ſwords of their own party, or by thoſe of the enemy.

The ſecond line, conſiſting of the African and native troops of Carthage, had a ſimilar fate; they periſhed by the hands of the Romans, or by thoſe of their own reſerve, who had orders to receive them on their ſwords, and turn them back, if poſſible, againſt the enemy.

Scipio, after ſo much blood had been ſhed, finding his men out of breath and ſpent with hard labour, embarraſſed with heaps of the ſlain, ſcarcely able to keep their footing on ground become ſlippery with mud and gore, and in theſe circumſtances likely to be inſtantly attacked by a freſh enemy, who had yet borne no part in the conteſt; he

he endeavoured, without loſs of time, to put himſelf in a poſture to renew the engagement. CHAP. V.

His cavalry, by good fortune, in theſe hazardous circumſtances, were victorious on both the wings, and were gone in purſuit of the enemy. He ordered the ground to be cleared; and his columns, in the original form of the action, having been ſomewhat diſplaced, he ordered thoſe of the firſt line to cloſe to the centre; thoſe of the ſecond and third to divide, and, gaining the flanks, to form in a continued line with the front. In this manner, while the ground was clearing of the dead, probably by the Velites or irregular troops, he, with the leaſt poſſible loſs of time, and without any interval of confuſion, completed his line to receive the enemy. An action enſued, which, being to decide the event of this memorable war, was likely to remain ſome time in ſuſpence; when the cavalry of the Roman army, returning from the purſuit of the horſe they had routed, fell on the flank of the Carthaginian infantry, and obliged them to give way.

Hannibal had reſted his hopes of victory on the diſorder that might ariſe from the attack of his elephants, and if this ſhould fail, on the ſteady valour of the veterans, whom he reſerved for the laſt effort to be made, when he ſuppoſed that the Romans, already exhauſted in their conflict with the two ſeveral lines whom he ſacrificed to their ardour in the beginning of the battle, might be unable to contend with the third, yet freſh for action and inured to victory. He was diſappointed in the effect of his elephants, by the precaution which Scipio had taken in opening his intervals, and in forming continued lanes for their paſſage from front to rear; and of the effect of his reſerve, by the return of the enemy's horſe, while the action was yet

BOOK I. yet undecided (*c*). Having taken no meaſures to ſecure a retreat, nor to ſave any part of his army, he obſtinately fought every minute of the day to the laſt; and when he could delay the victory of his enemy no longer, he quitted the field with a ſmall party of horſe, of whom many, overwhelmed with hunger and fatigue, having fallen by the way, he arrived with a few, in the courſe of two days and two nights, at Hadrumetum. Here he embarked and proceeded by ſea to Carthage. His arrival convinced his countrymen of the extent of their loſs. Seeing Hannibal without an army, they believed themſelves vanquiſhed; and, with minds unprovided with that ſpirit which ſupported the Romans when overthrown at Thraſimenus and Cannæ, were now deſirous, by any conceſſions, to avert the ſuppoſed neceſſary conſequences of their fate.

The riotous populace, that had ſo lately purſued with vengeance, and threatened to tear aſunder the ſuppoſed authors of peace (*d*), were now ſilent, and ready to embrace any terms that might be preſcribed by the enemy. Hannibal, knowing how little his countrymen were qualified to contend with misfortune, confeſſed in the Senate, that he was come from deciding, not the event of a ſingle battle, but the fate of a great war, and adviſed them to accept of the victor's terms (*e*). They accordingly determined to ſue for peace.

In the mean time the Roman army, in purſuit of its victory, was returned to the coaſt; and having received from Italy a large ſupply of ſtores and military engines, together with a reinforcement of fifty galleys, was in a condition, not only to reſume the ſiege of Utica and Tunis, but like-

(*c*) Polyb. lib. xv. c. 16. (*d*) Appian de Bell. Punic. p. 31.
(*e*) Polyb. lib. xv. c. 4—17. Liv. lib. xxx. c. 31.

wiſe

wiſe to threaten with a ſtorm the capital itſelf; and, for this purpoſe, began to inveſt the town and block up the harbour. CHAP. V.

Scipio being himſelf embarked, and conducting the fleet to its ſtation, was met by a Carthaginian veſſel that hoiſted wreaths of olive and other enſigns of peace. This veſſel had ten commiſſioners on board, who were authoriſed to declare the ſubmiſſion of Carthage, and to receive the victor's commands.

The ambition of Scipio might have inclined him to urge his victory to the utmoſt, that he might carry, inſtead of a treaty, the ſpoils of Carthage to adorn his triumph at Rome. But the impatience with which the Conſuls of the preſent and of the preceding year endeavoured to ſnatch from his hands the glory of terminating the war, may, with other motives, have induced him to receive the ſubmiſſion of the vanquiſhed upon the firſt terms that appeared ſufficiently honourable, and ſuited to the object of the commiſſion with which he had been entruſted.

In alluſion to this circumſtance, he was heard to ſay, that Claudius, by his impatience to ſupplant him in this command, had ſaved the republic of Carthage *(f)*. But men ſeldom act from any ſingle conſideration; and Scipio is, in all probability, juſtly ſuppoſed to have had other and nobler motives than this jealouſy of a ſucceſſor. He is even ſaid to have ſpared the rival of his country, in order to maintain the emulation of courage and of national virtue. This motive Cato, who had ſerved under him in the capacity of Quæſtor, and who was not inclined to flatter, did him the honour to aſſign in a ſpeech to the Senate *(g)*.

Scipio, having appointed the Carthaginian commiſſioners to attend him at Tunis, preſcribed the following terms:

(*f*) Appian de Bell. Punic. p. 36. (*g*) Ibid.

BOOK I.

That Carthage ſhould continue to hold in Africa all that ſhe had poſſeſſed before the war, and be governed by her own laws and inſtitutions:

That ſhe ſhould make immediate reſtitution of all Roman ſhips or other effects taken in violation of the late truce:

Should releaſe or deliver up all captives, deſerters, or fugitive ſlaves taken or received during any part of the war:

Surrender the whole of her fleet, ſaving ten gallies of three tier of oars:

Deliver up all the elephants ſhe then had in the ſtalls of the republic, and refrain from taming or breaking any more of thoſe animals:

That ſhe ſhould not make war on any nation whatever without conſent of the Romans:

That ſhe ſhould indemnify Maſſiniſſa for all the loſſes he had ſuſtained in the late war:

And, to reimburſe the Romans, pay a ſum of ten thouſand talents *(b)*, at the rate of two hundred talents a-year for fifty years:

That the State ſhould give hoſtages for the performance of theſe ſeveral articles, ſuch as Scipio ſhould ſelect from the nobleſt families of Carthage not under fourteen, nor exceeding thirty years of age:

And that, until this treaty ſhould be ratified, they ſhould ſupply the Roman forces in Africa with pay and proviſions.

When theſe conditions were reported in the Senate of Carthage, one of the members aroſe, and, in terms of indignation, attempted to diſſuade the acceptance of them: but Hannibal, with the tone of a maſter, interrupted and commanded him ſilence. This action was reſented by a general cry of diſpleaſure; and Hannibal, in excuſe of his raſhneſs, informed the Senate, that he had left Carthage

(*b*) Near two millions ſterling.

while

while yet a child of nine years old; that he was now at the age of forty-five; and, after a life ſpent in camps and military operations, returned for the firſt time to bear his part in political councils; that he hoped they would bear with his inexperience in matters of civil form, and regard more the tendency than the manner of what he had done; that he was ſenſible the propoſed terms of peace were unfavourable, but he knew not how elſe his country was to be reſcued from her preſent difficulties; he wiſhed to reſerve her for a time in which ſhe could exert her reſolution with more advantage. He hoped that the Senate would, in the preſent extremity, accept, without heſitation, and even without conſulting the people, conditions which, though hard, were, notwithſtanding, leſs fatal to the commonwealth than any one could have hoped for in the night that followed the battle of Zama *(i)*.

The conditions were accordingly accepted, and deputies were ſent to Rome with conceſſions, which in ſome meaſure ſtripped the republic of her ſovereignty. The ratification of the treaty was remitted to Scipio, and the peace concluded on the terms he had preſcribed. U. C. 552.

Four thouſand Roman captives were inſtantly releaſed: five hundred gallies were delivered up and burnt; the firſt payment of two hundred talents was exacted, and, under the execution of this article, many members of the Carthaginian Senate were in tears. Hannibal was obſerved to ſmile, and being queſtioned on this inſult to the public diſtreſs, made anſwer, That a ſmile of ſcorn for thoſe who felt not the loſs of their country, until it affected their own intereſt, was an expreſſion of ſorrow for Carthage.

(i) Polyb. lib. xv. c. 18. Liv. lib. xxx. c. 37.

CHAP. VI.

State of Rome at the Peace with Carthage.—Wars with the Gauls.—With the Macedonians.—Battle of Cynocephalæ.—Peace.—Freedom to Greece.—Preludes to the War with Antiochus.—Flight of Hannibal to that Prince.—Antiochus passes into Europe.—Dispositions made by the Romans.—Flight of Antiochus to Asia.—His defeat at the Mountains of Sipylus.—Peace and Settlement of Asia.—Course of Roman Affairs at Home, &c.

BOOK I.

IN the course of the war, which terminated in so distinguished a superiority of the Roman over the Carthaginian republic, the victors had experienced much greater distress than had, even in the last stage of the conflict, fallen to the share of the vanquished. The greater part of their territory, during a series of years, lay waste; was ruined in its habitations, plundered of its slaves and its cattle, and deserted of its people. The city itself was reduced to a scanty supply of provisions that threatened immediate famine *(a)*. Among other modes of taxation devised at this time, the monopoly of salt was established or renewed; but every public fund that was constituted in the ordinary way being insufficient, the State had recourse to the voluntary contribution of its members, and called for their plate and other ornaments of silver and gold to defray the expences. They debased their silver coin by a great mixture of alloy, and farther reduced the copper As from its late coinage at two ounces to one (*b*). The numbers of the people on the rolls, either by desertion or by the sword of the enemy,

(*a*) Polyb. Excerptæ Legationes. (*b*) Plin. Nat. Hist. lib. iii. c. iii.

enemy, uncommonly fatal in ſuch a ſeries of battles, were reduced from two hundred and ſeventy thouſand to nearly the half (*c*).

In the muſters and levies, no leſs than twelve colonies at once withheld their names, and refuſed their ſupport. Yet, proof againſt the whole of theſe ſufferings, the Romans maintained the conflict with a reſolution, which ſeemed to imply, that they conſidered the ſmalleſt conceſſion as equivalent to ruin. In the farther exertion of this unconquerable ſpirit, when the preſſure of this war was removed, their fortunes roſe to a flood of proſperity and greatneſs, proportioned to the low ebb to which they ſeemed to have fallen in the courſe of it.

They joined, in Sicily, to their former poſſeſſions, the city of Syracuſe, and the whole kingdom of Hiero. In Spain, they ſucceeded to all the poſſeſſions, to all the claims and pretenſions of Carthage, and became maſters of all that had been the ſubject of diſpute in the war. They brought Carthage herſelf under contribution, and reduced her almoſt to the ſtate of a province.

On the ſide of Macedonia and Illyricum, in their treaty with Philip and his allies, they retained to themſelves conſiderable pledges, not only of ſecurity, but of power; and began to be conſidered in the councils of Greece, as the principal arbiters of the fortunes of nations.

In Italy, where their progreſs was ſtill of greater conſequence, they became more abſolute maſters than they had been before the war. The cantons, which, in ſo general a defection of their other allies, had continued faithful to them, were fond of the merit they had acquired, and were confirmed in their attachment by the habits of zeal which they had exerted in ſo proſperous a cauſe. Thoſe, on

(*c*) Theſe were probably the citizens, fit to carry arms, reſiding in the city; for it was not yet the practice to enrol thoſe who did not offer their names at Rome.

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the contrary, who had revolted, or withdrawn their allegiance, were reduced to a ſtate of ſubmiſſion more entire than they had formerly acknowledged; and the ſovereignty of this whole country being, till now, precarious and tottering, derived, from the very ſtorm which had ſhaken it, ſtability and force.

But, notwithſtanding the ſplendor of ſuch rapid advancement, and of the high military and political talents which procured it, if by any accident the career of the Romans had been ſtopt at the preſent æra, their name, it is probable, would never have appeared on the record of poliſhed nations, nor they themſelves been otherwiſe known than as a barbarous dynaſty, that fell a prey to ſome more fortunate pretenders to dominion and conqueſt.

The Romans, being altogether men of the ſword, or of the State, made no application to letters, or ſedentary occupations. Cato is introduced by Cicero as ſaying, That it had been anciently the faſhion at Roman feaſts to ſing heroic ballads in honour of their anceſtors; but that this cuſtom had been diſcontinued in his own time; and it is probable, from the great change which their language underwent in a few years, that they had no popular or eſtabliſhed compoſitions in writing, or even in vulgar tradition, by which the uniformity of language has, in other inſtances, been longer preſerved. They had hitherto no hiſtorian, poet, or philoſopher; and it was only now, that any taſte began to appear for the compoſitions of ſuch authors. Fabius, Ennius, and Cato, became the firſt hiſtorians of their country, and raiſed the firſt literary monuments of genius that were to remain with poſterity *(d)*.

(*d*) In the ſixth century of Rome.

The inclination which now appeared for the learning of the Greeks was, by many, conſidered as a mark of degeneracy, and gave riſe to the never-ending diſpute, which, in this as in other nations, took place between the patrons of ancient and modern manners. The admirers of ancient times, being attached to what they received from their anceſtors, were diſpoſed to reject every new improvement, and ſeemed willing to ſtop the progreſs of ingenuity itſelf. The gay and the faſhionable, on the other hand, liked what was new; were fond of every change, and would ever adopt the lateſt invention as the model of propriety, elegance, and beauty.

To the ſimplicity of the Roman manners in other reſpects, and to the ability of the moſt accompliſhed councils of State, was joined a very groſs ſuperſtition, which led to many acts of abſurdity and cruelty. In this particular it appears, that the conceptions of men are altogether unconnected with their civil and political, as well as military character; and that the rites they adopt, even when innocent, and the moſt admiſſible expreſſions of worſhip, do not deſerve to be recorded for any other purpoſe, than to ſhew how far they are arbitrary; and how little, in many inſtances, they are directed, even among nations otherwiſe the moſt accompliſhed by any rule of utility, humanity, or reaſon.

A little time before the breaking out of the late war, the Roman Senate, upon the report of a prophecy, that the Gauls and the Greeks were to poſſeſs the city, ordered a man and a woman of each of thoſe nations to be buried alive in the market-place; ſuppoſing, we may imagine, that, by this act of monſtrous injuſtice and cruelty, they were to fulfil or elude the prediction (*e*). They attended

(*e*) Plutarch. in Vit. Marcell.

to

BOOK I. to the numberlefs prodigies that were annually collected, and to the charms that were fuggefted to avert the evils which thofe prodigies were fuppofed to prefage, no lefs than they did to the moft ferious affairs of the Commonwealth *(f)*. They frequently feemed to impute their diftreffes, more to the neglect of fuperftitious rites, than to the mifconduct of their officers, or to the fuperiority of their enemies. Fabius, who, by perfeverance and fteadinefs, had the merit of reftoring their affairs, was no lefs celebrated for his diligence in averting the effect of prodigies and unhappy prefages, than he was for the conduct and ability of a cautious and fuccefsful commander *(g)*. Even Scipio is faid to have been influenced by his dreams, and to have pretended to fpecial revelations.

From fuch examples as thefe, we may learn the fallacy of partial reprefentations of national character, and carefully to guard againft drawing any inference from the defects or accomplifhments which a people may exhibit of one kind, to eftablifh thofe of another.

The peace with Carthage was introduced with fome popular acts in favour of thofe who had fuffered remarkably in the hardfhips and dangers of the war. Large quantities of corn that had been feized in the magazines of the enemy, were fold in the city at a low price, and a confiderable diftribution of land was made to numbers of the people in reward of their long and perilous fervices.

Thefe precedents, however reafonable in the circumftances from which they arofe, were the fources of great abufe; private citizens, in the fequel, were taught to rely on public gratuities, and were made to hope, that, in the midft of floth and riot, they might fubfift without care, and without induftry. Soldiers were taught to expect extraor-

(f) Vide Liv. paffim. *(g)* Plutarch. in Vit. Fab. Max.

dinary

dinary rewards for ordinary ſervices; and ambitious leaders were inſtructed how to transfer the affection and the hopes of the legions from the republic to themſelves.

The treaty with Carthage, while it terminated the principal war in which the Romans were engaged, left them at leiſure to purſue a variety of quarrels, which ſtill remained on their hands, rather than beſtowed entire peace. The Inſubres, and other Gauliſh nations on the Po, although they had not taken the full advantage, which the preſence of Hannibal in Italy might have given them againſt the Romans, were unable to remain at peace, and were unwilling to acknowledge the ſovereignty of any nation over their own. Having a Carthaginian exile, of the name of Hamilcar, at their head, they attempted again to diſlodge the colonies of Cremona and Placentia; and, on that ſide, with various events for ſome years, furniſhed occupation to the arms of the republic.

Philip, notwithſtanding the treaty of peace, which, about three years before, he had concluded with the Romans, had lately ſupplied the Carthaginians with an aid of four thouſand men, and a ſum of money. Of the men he had ſent to the aſſiſtance of Carthage, many had been taken at the battle of Zama, and detained as captives. Truſting, however, to the authority of his crown, he ſent, during the dependance of the treaty between the Romans and Carthaginians, a meſſage to demand the enlargement of thoſe Macedonian captives. To this meſſage the Senate replied with diſdain, that the king of Macedonia appeared to deſire a war, and ſhould have it.

The People, neverthelеſs, wearied and exhauſted with the late conteſt, engaged in this war with uncommon reluctance. The Senate, they thought, was directed by the ambition of a few members, who never ceaſed to ſeek for new ſubjects of triumph,

BOOK I. umph, and for fresh occasion of military honours. But notwithstanding their aversion to enter into a war upon these motives, they were persuaded to give their consent upon a representation of the great progress which was making by the king of Macedonia, and the supposed necessity of carrying the war into his own country, in order to check or prevent his designs upon Italy.

Philip, from being the head of a free confederacy, in which the Achæans, and many other states of Greece, were united, aspired to become the despotic sovereign of that country; and, either by insinuation or force, had made himself master of most places of consequence round the Ægean sea, whether in Europe or Asia. Upon the death of Ptolemy Philopater, and the succession of an infant son of that prince to the throne of Egypt, Philip had entered into a treaty with Antiochus, king of Syria, to divide between them the possessions of the Egyptian monarchy; and, in order to be ready for his more distant operations, was busy in reducing the places which still held out against him in Greece, and in its neighbourhood.

For this purpose he sent an army with orders to take possession of Athens, and was himself employed in the siege of Abydos. The Athenians sent a message to Rome to sue for protection. "It is no longer a "question," said the Consul Sulpicius, in his harangue to the people, "whether you will have a "war with Philip, but whether you will have that "war in Macedonia or in Italy. If you stay until "Philip has taken Athens, as Hannibal took Saguntum, you may then see him arrive in Italy, "not after a march of five months, and after the "passage of tremendous mountains, but after a "voyage of five days from his embarkation at "Corinth."

These considerations decided the resolution of the Roman People for war; and the officers, yet remaining

remaining in Sicily at the head of the ſea and the land forces that had been employed againſt Carthage, had orders, without touching on Italy, to make ſail for the coaſt of Epirus.

The Conſul Sulpicius was deſtined to command in that country. He found, upon his arrival, that Attalus, the king of Pergamus, and the republic of Rhodes, had taken arms to oppoſe the progreſs of Philip. In concert with theſe allies, and in conjunction with the Dardanians and other cantons who joined him on the frontiers of Macedonia, the Roman Conſul was enabled to relieve and to protect the Athenians. But the other ſtates of Greece, though already averſe to the pretenſions of Philip, and impatient of his uſurpations; even the Etolians, though the moſt determined opponents of this prince, ſeemed to be undecided on this occaſion, and deferred entering into any engagement with the Romans. The reputation of the Macedonian armies was ſtill very high; and it was doubtful, whether theſe Italian invaders, conſidered as an upſtart and a barbarous power, might be able to protect the ſtates that declared for them againſt the vengeance of ſo great a king *(h)*. U. C. 552.

The two firſt years of the war elapſed without any deciſive event. Philip took poſt on the mountains that ſeparate Epirus from Theſſaly, and effectually prevented the Romans from penetrating any farther. But, in the third year, Titus Quintius Flamininus, yet a young man under thirty years of age, being Conſul, and deſtined to this command, brought to an immediate iſſue a conteſt which, till then, had been held in ſuſpence.

The Roman legion, except in its firſt encounters with Pyrrhus, had never meaſured its force, or compared its advantages with any troops formed on the Grecian model, and, to thoſe who reaſoned

(*h*) Plutarch. in Vit. Flamin. p. 407.

on

BOOK I. on the ſubject, may have appeared greatly inferior to the Macedonian phalanx. One preſumption, indeed, had appeared in favour of the legion, that both Pyrrhus and Hannibal thought proper to adopt its weapons, though there is no account of their having imitated the line of battle, or form of its manipules.

The phalanx was calculated to preſent a ſtrong and impenetrable front, ſupported by a depth of column, which might be varied occaſionally to ſuit with the ground. The men were armed with ſpears of twenty-one or twenty-four feet in length. The five firſt ranks could level and carry their points to the front of the column. The remainder reſted their ſpears obliquely on the ſhoulders of thoſe that were before then; and, in this poſture, formed a kind of ſhed to intercept the miſſiles of the enemy; and, with their preſſure, ſupported, or urged, the front of their own column.

In the ſhock of the phalanx and legion, it is computed, that every ſingle man in the front of the legion, requiring a ſquare ſpace of ſix feet in which to ply his weapons, and acting with his buckler and ſword, had ten points of the enemy's ſpears oppoſed to him: (*h*) nevertheleſs, the ſtrength of the phalanx being entirely collected in front, and depending on the cloſeneſs of its order; when attacked on the flank or the rear, when broken or taken by ſurprize, and unformed, it was eaſily routed, and was calculated only for level ground, and the defence of a ſtation acceſſible only in one direction.

The Roman legion could act on its front, its flank, or its rear. Each diviſion, or manipule, and even the men that compoſed it, could act apart; and, if they had ſpace enough to ply their weapons, could ſcarcely be taken by ſurprize, or

(*h*) Polyb. lib. xvii. c. 23.

be

be made to ſuffer for want of a determinate order. CHAP. VI.
It was ſerviceable therefore, upon any ground, and, except on the front of the phalanx, had an undoubted advantage over that body.

In its ordinary form, the legion made its attack by ſeparate diviſions, at conſiderable intervals; and this mode of attack had a tendency to break and disjoin the front of the phalanx. The diviſions of the ſecond line were made to face the intervals of the firſt, in order to take advantage of any diſorder that might ariſe from the impreſſion made on the enemy, whether they repulſed and purſued, or gave way to the diviſions that attacked them.

Such are the reaſonings which occurred to military men, at leaſt after the events of the preſent war. In the mean time the Romans, in whatever degree they comprehended this argument, had ſufficient confidence in their own weapons, and in their looſe order, to encounter the long ſpear and compacted force of their enemy.

When Flamininus arrived in Epirus, Philip received him in a rugged paſs, where the Aôus burſts from the mountains that ſeparate Epirus from Theſſaly. This poſt was ſtrong, and could be defended even by irregular troops; but the phalanx, in this place, had none of its peculiar advantages; the Romans got round it upon the heights, and obliged the king of Macedonia to retire. He fled U. C. 555.
through Theſſaly; and, to incommode the enemy in their attempts to purſue him, laid waſte the country as he paſſed.

The flight of Philip determined the Etolians to take part in the war againſt him; and the Roman general, after the operations of the campaign, being to winter in Phocis on the gulph of Corinth, found, that the greater part of the Achæan ſtates were likewiſe diſpoſed to join him. He took advantage of this diſpoſition, and got poſſeſſion of all the towns in the Peloponneſus, except Corinth and

BOOK I. and Argos, which hitherto had been in alliance with the enemy.

In the following ſpring, Philip, having with great induſtry collected and diſciplined the forces of his kingdom, received Flamininus in Theſſaly. The armies met in the neighbourhood of Pheræ; but the country, being interſperſed with gardens, and cut with plantations and hedges, the king declined a battle and withdrew. Flamininus, knowing that he had magazines at Scotuſa, ſuppoſed that he was gone towards that place, and followed by a route that was ſeparated from that of the king by a ridge of hills. In the firſt day's march, the Romans and Macedonians were hid from each other by the heights; on the ſecond day they were covered by a thick fog, which hindered them from ſeeing diſtinctly even the different parts of their own armies.

The ſcouts and advanced parties on both ſides, had, about the ſame time, aſcended the heights to gain ſome obſervation of their enemy. They met by ſurpriſe, and could not avoid an engagement. Each party ſent for ſupport to the main body of their reſpective armies. The Romans had begun to give way, when a reinforcement arrived, that enabled them, in their turn, to preſs on the enemy, and to recover the height from which they had been forced. Philip was determined not to hazard his phalanx on that unfavourable ground, broken and interſperſed with little hills; which, on account of their figure, were called the Cynocephalæ (*i*). He ſent, nevertheleſs, all his horſe and irregular infantry to extricate his advanced party, and to draw them off with honour. Upon their arrival, the advantage came to be on the ſide of the Macedonians; and the Roman irregulars were forced from the hills in the utmoſt diſorder. The

(*i*) The name implies, that theſe hills reſembled the head of a dog.

cry

cry of victory was carried back to the camp of the king. His courtiers exclaimed, that now was the time to urge a flying enemy, and to complete his advantage. The king hesitated; but could not resist the general voice. He ordered the phalanx to move; and he himself at the head of the right wing, while his left was marching in column, had arrived and formed on the hill. On his way to this ground, he was flattered with recent tracts of the victory which had been gained by his troops.

Flamininus, at the same time, alarmed at the defeat of his light infantry, and seeing a kind of panic likely to spread through the legions, put the whole army in motion, and advanced to receive his flying parties. In that point of time the fog cleared up and shewed the right of the Macedonian phalanx already formed upon the height.

Flamininus hastily attacked this body, and, being unable to make any impression, gave up the day, on that quarter for lost. But observing that the enemy opposite to his right were not yet come to their ground, he instantly repaired to that wing, and, with his elephants and light infantry, supported by the legions, attacked them before the phalanx was formed, and put them to flight.

In this state of the action, a Tribune of the victorious legion, being advanced in pursuit of the enemy, as they fled beyond the flank of their own phalanx on the right, took that body in the rear; and, by this fortunate attempt, in so critical a moment, completed the victory in all parts of the field.

Thus Philip, if his phalanx had any advantage over the legion of the Romans, had not, in two successive encounters, been able to avail himself of it; and it may well be supposed, that in the movements of armies, which often require them to act on varieties of ground, the chances were greatly in favour of the more versatile body (*k*).

(*k*) Polyb. lib. xvii. c. 22.

From

BOOK I.

From this field the king of Macedonia fled with a mind already disposed not to urge the fate of the war any farther. He retired to the passes of the mountains that surround the valley of Tempe, and from thence sent a message to the Roman general with overtures of peace.

It was a fortunate circumstance in the manners and policy of the Romans, that the same motives of ambition which urged the rulers of the state to war, likewise, on occasion, inclined the leaders of armies to peace, made them admit from an enemy the first offers of submission, and embrace any terms on which they could for themselves lay claim to a triumph.

The prayer of the republic, in entering on a war, included three objects, safety, victory, and and enlargement of territory (*l*). Every general endeavoured to obtain these ends for his country; but, in proportion as he approached to the completion of his wishes, he became jealous of his successor, and desirous to terminate the war before any other should come to snatch out of his hands the trophies he had won. This people appeated, therefore, on most occasions, willing to spare the vanquished, and went to extremities only by degrees, and urged by the ambition of successive leaders, who, each in his turn, wished to make some addition to the advantages previously gained to his country. At the same time, the State, when furnished with a fair pretence for reducing a province to subjection, made the most effectual arrangements to accomplish this purpose.

Flamininus, on the present occasion, encouraged the advances that were made to him by Philip, granted a cessation of arms, gave him an opportunity to continue his applications for peace at Rome, and forwarded the messenger whom he sent on this

(*l*) Liv. lib. xxxi. c. 5.

business.

CHAP. VI.

U. C. 557.

business. The Senate, on being informed that the king of Macedonia cast himself entirely on the mercy and justice of the Romans, named ten commissioners to be joined with Flamininus, and to determine, in presence of the other parties concerned in the war, what were to be the terms on which peace should be granted.

The time was not yet come for the Romans to lay hold of any possessions beyond the sea of Ionia. They had passed into that country as the protectors of Athens, were now satisfied with the title of Deliverers of Greece; and, under pretence of setting the republics of that quarter free, detached them from the Macedonian monarchy; but, in this manner, made the first step towards conquest, by weakening their enemy, and by stripping him of great part of that power with which he had been able to resist them in the late war.

They obliged the king of Macedonia to withdraw his garrisons from every fortress in Greece, and to leave every Grecian city, whether of Europe or Asia, to the full enjoyment of its own independence and separate laws.

To secure the effects of this treaty, they obliged him to surrender all his ships of war, except one galley, on which, it was said, were mounted sixteen tier of oars, requiring a height above the water, and dimensions in every part, more fitted for ostentation than wieldiness or use.

They made him reduce his ordinary military establishment to five hundred men, and forbade him entirely the use of elephants.

For themselves, they desired only to have the Roman captives restored, deserters delivered up, and a sum of one thousand talents to reimburse the expence of the war (*m*).

(*m*) Liv. lib. xxxiii. c. 31.

BOOK I.

By this treaty the Romans not only weakened their enemy, but acquired great acceſſions of reputation and general confidence. They announced themſelves as protectors of all free nations; and in this character took an aſcendant, which, even over the ſtates they had reſcued from foreign uſurpations, by degrees might riſe into ſovereignty and a formal dominion.

To give the greater ſolemnity to the gift of liberty which they made to the Grecian ſtates, they had this act of ſplendid munificence proclaimed at the Iſthmus of Corinth, in preſence of great multitudes from every part of Greece met to ſolemnize the ordinary games; and, in return, were extolled by the flatterers of their power, or the dupes of their policy, as the common reſtorers of freedom to mankind.

The Romans haſtened the completion of the treaty, by which they diſarmed the king of Macedonia, upon having received information, that Antiochus, king of Syria, was in motion with a mighty force, and, without declaring his intentions, made ſail towards Europe. This prince ſucceeded to the kingdom of Syria a few years before Ptolemy Philopater began to reign in Egypt, or Philip in Greece; and was nearly of the ſame age with thoſe princes. In his youth he waged war with the kingdom of Egypt for the poſſeſſion of the Cælo-Syria, and with the Satraps or governors of his own provinces, who attempted to render themſelves independent, and to diſmember his kingdom. His ſucceſs in re-uniting all the members of his own monarchy, put him in poſſeſſion of a great empire, which reached from the extremities of Armenia and Perſia to Sardis and the ſeas of Greece. The ſplendor of his fortunes procured him the title of Antiochus the Great. The crown of Egypt had been, for ſome time, the principal object of his jealouſy and of his ambition. He had made an alliance with Philip,

Philip, in which the common object of the parties was to avail themselves of the minority of Ptolemy: but he was not aware, in time, how much the king of Macedonia stood in need of his support against the Romans; or how much it was his interest to preserve that kingdom as a barrier against the incroachments of an ambitious people, who now began to direct their views to the East. He advanced, however, though now too late, by the coast of Asia to the Hellespont, with a fleet and an army rather destined for observation, than for any decided part in a war which was brought to a conclusion about the time of his arrival in those parts.

At Lysimachia, the Roman deputies, who were charged with the adjustment and execution of the late treaty, met with Antiochus, and remonstrated against some of his proceedings on the coast of Asia, as affecting the possessions both of Philip and of Ptolemy. They complained of his present invasion of Europe with a hostile force. "The Romans," they said, "had rescued the Greeks from Philip, not to deliver them over to Antiochus." They demanded a restitution of all the towns he had taken from Ptolemy, and enjoined him to refrain from any attempts on the freedom of Greece.

To these remonstrances and requisitions the king of Syria with scorn replied, That he knew the extent of his rights, and was not to be taught by the Romans: that they were busy in setting bounds to the ambition of other states, but set no bounds to their own; advised them to confine their views to the affairs of Italy, and to leave those of Asia to the parties concerned.

During the conferences which were held on these subjects, each of the parties, without communicating what they heard to the others, received a report of the death of Ptolemy, the infant king of

 Egypt;

BOOK I. Egypt; and they ſeparated from each other, intent on the evils to be apprehended, or the benefits to be reaped, from this event.

This report, in which both parties were ſoon after undeceived, occaſioned the return of Antiochus into Syria, and ſuſpended for ſome time the war which he was diſpoſed to carry into Europe (*n*).

Under pretence of obſerving the motions of this prince, the Romans, although they had profeſſed an intention to evacuate the Greek cities, ſtill kept poſſeſſion of Demetrias, a convenient ſea-port in Theſſaly, and of Chalcis on the ſtraits of Eubæa; and Flamininus, under pretence of reſtraining the violence of Nabis, the tyrant of Lacedemon, and of reſtoring the tranquillity of that country (*o*), ſtill remained with an army in the Peloponneſus.

While the Romans were carrying their fortunes with ſo high a hand in this part of the world, and defeating armies hitherto deemed invincible, they received a conſiderable check in Spain.

That country had been recently divided into two provinces; and, though now poſſeſſed by the Romans, without the competition of any foreign rival, it continued to be held by a very difficult and precarious tenure, that of force, oppoſed to the impatience and continual revolts of a fierce and numerous people.

Spain had already furniſhed to Italy its principal ſupplies of ſilver and gold. At every triumph obtained in that country, the precious metals were brought in conſiderable quantities to the treaſury of Rome; but were purchaſed for the moſt part with the blood of her legions, and led her into a ſucceſſion of wars, in which ſhe experienced defeat as well as victory. About the time that Flamininus had terminated the war in Macedonia; the Pro-

(*n*) Liv. lib. xxxiii. c. 41. (*o*) Ibid. c. 43.

conſul

consul Sempronius, in the nearer province of Spain, was defeated with the loss of many officers of rank. He himself was wounded in the action, and soon after died.

Even the Roman possessions in Italy were not yet fully recovered from the troubles that had arisen in the time of the late war with Carthage. The Gaulish nations on the Po still continued in a state of hostility. The slaves, of which the numbers had greatly increased in Etruria, and other parts of the country, being mostly captives taken from enemies enured to arms and to violence, interrupted ther servitude with frequent and dangerous insurrections. Having persons among them, who had been accustomed to command as well as to obey, they often deserted from their masters, formed into regular bodies, and encountered the armies of the republic in battle *(p)*.

The ridge of the Appenines beyond the confines of Etruria and the Roman frontier, still harboured fierce and numerous tribes known by the name of Ligurians and Gauls, who not only often and long defended their own mountains and woods, but likewise frequently invaded the territory of the Romans. Here, or in Spain, during the recess of other wars, there was a continual service for the Consuls and Prætors, and a continual exercise to the legions. The State, nevertheless, though still occupied in this manner with petty enemies and desultory wars, never lost sight of the great objects of its jealousy, from whom were to be apprehended a more regular opposition, and better concerted designs against its power. Among these, the Carthaginians were not likely to continue longer at peace than until they recovered their strength, or had the prospect of some powerful support. Antiochus, possessed of all the resources of Asia, was

(p) Liv. lib. xxviii. c. 36.

BOOK I. ready to join with this or any other ſtate that was inclined to check the advancement of the Roman power.

U.C. 558. About a year after the concluſion of the war with Philip, the Romans received intelligence, that the Carthaginians had entered into a correſpondence with Antiochus; and as their ſuppoſed implacable enemy, Hannibal, was then in one of the firſt offices of ſtate at Carthage, it was not doubted, that the ſecret intrigues of thoſe parties were hoſtile to Rome. It was determined, therefore, to ſend a proper commiſſion into Africa, under pretence of an amicable mediation, in ſome differences that ſubſiſted between Maſſiniſſa and the people of Carthage; but with injunctions to the commiſſioners to penetrate, if poſſible, the deſigns of the Carthaginians; and, if neceſſary, to demand that Hannibal, the ſuppoſed author of a dangerous conſpiracy againſt the peace of both the republics, ſhould be delivered up.

This great man, from the termination of the late war, had acquitted himſelf in the political departments, to which he had been appointed, with an integrity and ability worthy of his high reputation as a ſoldier; but his reformations in a corrupted ſtate had procured him enemies at home, not leſs dangerous than thoſe he had encountered abroad *(q)*. Upon the arrival of the Roman deputies, he ſuſpected that the commiſſion regarded himſelf, and made no doubt that a faction whoſe ambition he had reſtrained, and many particular perſons whom he had recently incenſed by the reformation of certain abuſes in which they were intereſted, would gladly ſeize that opportunity to rid themſelves of a powerful enemy, and from fear or ſome other motives, prevail on a corrupted people to deliver him up to the Romans. It is ſaid,

(*q*) Liv. lib. xxxiii. c. 46—49.

that

that he had been long prepared for an emergence of this ſort, and, without any embarraſſment, appeared upon the arrival of theſe meſſengers, in all the functions of his public character; but at night withdrew to the coaſt, and ſet ſail for Aſia (r). He was received by Antiochus at Epheſus, and treated as a perſon worthy to direct the councils of a great king; an office too much expoſed to envy for the favourites of a court, or even for the prince himſelf long to endure.

CHAP. VI.

From this time forward the king of Syria, ſuppoſed to be governed by the counſels of Hannibal, became the principal object of attention and of jealouſy at Rome; and though he ſeemed to remain in tranquillity during about three years after the acquiſition of this formidable counſellor, yet it was not doubted that the firſt violent ſtorm was to burſt from that quarter.

Flamininus had, during the greater part of this interval, remained in Greece; had been occupied in ſettling the affairs of that country, and in obſerving the Etolians, who, being diſſatisfied with the late peace, endeavoured to raiſe a ſpirit of diſcontent againſt the Romans. He made war at the ſame time againſt Nabis the tyrant of Lacedemon; and though he failed in his attempt to force this famous uſurper in his own capital, he obliged him to evacuate Argos, and to cede all his poſſeſſions on the coaſt. By theſe means he removed all the dangers with which any of the States of the Achæan league had been threatened, and reſtored them to the full poſſeſſion of their freedom.

To leave no ground of jealouſy or diſtruſt in Greece, Flamininus perſuaded the Roman commiſſioners to evacuate Demetrias, Chalcis, and Corinth, which they were diſpoſed to retain in the proſpect of a war with Antiochus; and having

(r) Liv. lib. xxxiii. c. 46—49.

thus

BOOK I. thus concluded the affairs that were entrusted to him, he returned into Italy, and made his entry at Rome in a triumphal procession, which lasted three days, with a splendid display of spoils, captives, and treasure (*s*).

All the troubles of Greece, at the departure of Flamininus, seemed to be composed; these appearances, however, were but of short duration. Nabis was impatient under his late concessions; and flattering himself that the Romans would not repass the sea merely to exclude him from the possession of a few places of little consequence on the coast of the Peloponnesus, began to employ insinuation, corruption, and open force, in order to recover the towns he had lost. In this design he was encouraged by the Etolians, who flattered him with the hopes of support, not only from themselves, but likewise from Antiochus, and even from Philip; all of whom had an evident interest in repressing the growing power of the Italian republic. The Etolians had expected, at the close of the war with Philip, to come into the place of that prince, as the head of all the Grecian confederacies, and to have a principal share in the spoils of his kingdom. They urged the Roman commissioners to the final suppression of that monarchy; and, being disappointed in all their hopes, complained of the Romans, as bestowing upon others the fruits of a victory which had been obtained chiefly by their means, and as having, under the pretence of setting the Greeks at liberty, reduced that country into a weak and disjointed state, which might in any future period render it an easy prey to themselves.

Flamininus accordingly had, in all his measures for the settlement of Greece, found from this people a warm and obstinate resistance. He found

(*s*) Liv. lib. xxxiv. c. 52.

them

them endeavouring to form a powerful confederacy againſt the Romans, and for this purpoſe engaged in intrigues with Nabis, Philip, and Antiochus; applying to each of them in terms ſuited to the ſuppoſed injuries they had ſeverally received in the late war, or in the negotiations that followed.

At the concluſion of the peace with Philip, Antiochus thinking himſelf by the effects of that treaty aggrieved, in reſpect to the freedom granted to ſome cantons in Thrace, on which he derived a claim from his anceſtors, ſent an embaſſy to Rome with remonſtrances on that ſubject. The Romans made anſwer, In the capacity which they had aſſumed of the deliverers of Greece, that they would oppoſe every attempt to enſlave any Grecian ſettlement; and as they had no deſigns on Aſia, they expected that the king of Syria would not intermeddle in the concerns of Europe. While they gave this anſwer to the Ambaſſador of Antiochus, they reſolved, under pretence of treating with the king, to ſend commiſſioners, in their turn, to obſerve his motions.

The famous Scipio Africanus is mentioned by ſome hiſtorians as having been of this commiſſion, and as having had ſome converſations with Hannibal, which are recorded to the honour of both. Livy, however, ſeems to reject theſe particulars as fabulous, while he admits that the apparent intimacy of Hannibal with the Roman commiſſioners, very much diminiſhed the part which this formidable counſellor held in the confidence of the king (*t*).

At this time it became known that Antiochus was meditating the invaſion of Italy as well as of Greece; that the firſt of theſe objects was to be committed to Hannibal, who undertook to prevail on the republic of Carthage to take a principal

(*t*) Liv. lib. xxxv. c. 14.

ſhare

BOOK I. ſhare in the war; and that, for this purpoſe, he had ſent a proper perſon to concert meaſures with his party at Carthage; but the intrigue being diſcovered, the Carthaginians, in order to exculpate themſelves, ſent an account of it to Rome.

Before this intelligence had been received, the Roman commiſſioners were ſet out for Aſia, and, according to their inſtructions, paſſed through Pergamus to conſult with Eumenes the ſovereign of that kingdom, who, having reaſon to dread the power of Antiochus, employed all his credit to engage the Romans in a war with that prince. They had an audience of the king of Syria at Apamea, and a conference afterwards, on the object of their commiſſion, with a principal officer of his court at Epheſus. This miniſter made no ſcruple to charge the Romans with the real deſigns of ambition, which they endeavoured to diſguiſe under the pretence of procuring the liberties of Greece. "Your "conduct," he ſaid, "where you are in condition "to act without diſguiſe, is a much better evidence "of your intention, than any profeſſions you may "think proper to make in Greece or in Aſia, where, "by aſſuming a popular character, you have ſo "many parties to reconcile to your intereſt. Are "not the inhabitants of Naples and of Rhegium "Greeks, as well as thoſe of Lampaſcus and "Smyrna? You are extremely deſirous to ſet the "Greeks at liberty from the dominion of Antiochus "and Philip, but have no remorſe in ſubjecting "them to your own."

The deputies of the cities whoſe intereſt was in queſtion were preſent at theſe conferences, and each pleaded the cauſe of his country, but without any other effect than that of convincing the parties concerned, that a war could not long be avoided. The Romans, alarmed by the intelligence received from Carthage during the dependance of this conference, had already begun to prepare for hoſtilities: and, upon

upon the report of their commiſſioners from Aſia, ſtill continued to augment their forces by ſea and by land. Under pretence of repreſſing the violences committed by Nabis, they ordered one army into Greece, and ſtationed a ſecond on the coaſt of Calabria and Apulia, in order to ſupport the operations of the firſt.

The Romans had reaſon to conſider the Etolians as enemies, and even to diſtruſt the intentions of many of the republics lately reſtored to their liberty, who began to ſurmiſe, that, under the pretence of being relieved from the dominion of Philip, they were actually reduced to a ſtate of dependence on Rome.

To obviate the difficulties which from theſe ſurmiſes might ariſe among the Grecian republics, the Roman Senate ſent a freſh commiſſion into that country, requiring thoſe who were named in it to act under the direction of Flamininus, the late deliverer of Greece. Theſe commiſſioners found the principal cities of that country variouſly affected: a general meeting of the States being called to receive them at Demetrias, they were, by ſome of the parties preſent at this meeting, reproached with a deſign, under pretence of reſtoring the Greeks to their liberties, of ſeparating them from every power that was fit to protect them; and they were likewiſe reproached with a deſign of eſtabliſhing their own tyranny, under pretence of oppoſing that of every other State.

This ſpecies of blaſphemy, uttered againſt a power which the majority of thoſe who were preſent affected to revere, raiſed a great ferment in the council; and the perſons who had thus ventured to inſult the Romans being threatened with violence, were forced to withdraw from Demetrias, and to take refuge in Etolia. The remaining deputies of Greece endeavoured to pacify the Roman commiſſioners, or at leaſt entreated them that they

would

BOOK I. would not impute to ſo many different nations, what was no more than the frenzy of a few individuals.

The Etolians had already invited Antiochus to paſs into Europe. The meaſure was accordingly under deliberation in the council of this prince. Hannibal warmly recommended the invaſion of Italy as the moſt effectual blow that could be ſtruck at the Romans. "At home," he ſaid, "their "force is ſtill compoſed of disjoint materials, which "will break into pieces when aſſailed by the im-"mediate touch of an enemy; and the moſt ef-"fectual power that can be raiſed up againſt "them, is that which may be formed from the ruins "of their own empire. But if you allow them to "remain in quiet poſſeſſion of Italy, and to ſtretch "out the arms of that country to a diſtance, their "reſources are endleſs, and their ſtrength irreſiſti-"ble." He made an offer of himſelf for this ſervice, demanding a hundred gallies, ten thouſand foot, and a thouſand horſe. With this armament he propoſed to preſent himſelf on the coaſt of Africa, and, from what further reinforcements or ſupplies he could derive from Carthage, to effect his deſcent upon Italy.

Theſe councils, however, were given in vain. Hannibal, as a perſon likely to reap all the glory of every ſervice in which he bore any part, was become an object of jealouſy to the court of Antiochus, and to the king himſelf. His advice being received with more averſion than reſpect, ſerved to determine the king againſt every meaſure he propoſed. "Such a monarch," it was ſaid by the courtiers, "could not be under any neceſſity to "employ foreign aid or direction:—his own force "was ſufficient to overcome the Romans in any "part of the world:—the recovery of Greece "muſt be the firſt object of his arms:—the people "of that country, whenever his galleys appeared,

"would

" would crowd to the ſhores to receive him:—the
" the Etolians were already in arms for this pur-
" poſe:—Nabis was impatient to recover the poſ-
" ſeſſions of which he had been ſtripped by the
" Romans:—Philip muſt eagerly fly to his ſtand-
" ard, and embrace every opportunity to revenge
" the indignities which had been lately put upon
" himſelf and his kingdom *(u)*."

Flattered with theſe expectations, Antiochus ſet ſail for Europe with ten thouſand foot, ſome elephants, and a body of horſe. He was received at Demetrias with acclamations of joy; but ſoon after, in the ſequel, came to underſtand that his allies in that country had ſent for him to bear the burden of the war, and were deviſing how they ſhould reap for themſelves the advantages that might be made to ariſe from it. U. C. 562.

The Etolians, at whoſe inſtance Antiochus had come into Greece, were ſtill divided. One party among them contended for peace, and alleged that the preſence of the king of Syria was a fortunate circumſtance, as it might give them an opportunity to negociate with greater advantage. Another party contended for immediate war; inſiſting that force alone could obtain any equitable terms from ſuch a party as that they had to do with.

Flamininus was preſent in the aſſembly of Etolia when theſe debates took place relating to the reſolution for peace or war with the Romans. He obſerved to the party who contended for war, that, before they proceeded to this extremity, they ought to have made their repreſentations at Rome, and to have waited for an anſwer from thence. "We ſhall make our repreſentations, and demand "our anſwer," ſaid a principal perſon in the aſſembly, ſtill thinking of a deſcent upon Italy, to be

(*u*) Liv. lib. xxxv. c. 18 & 42.

effected

BOOK I.

effected by Hannibal, "perhaps where we are least "expected, on the banks of the Tiber (*w*)."

The resolution for war with the Romans was accordingly taken in this assembly, and Antiochus was declared head of the confederacy to be formed for mutual support in the conduct of it. This prince endeavoured to obtain a declaration to the same effect from the Achæans and Beotians; but being disappointed in his application to those States, he left part of his forces at Demetrias, and he himself having negociated his admission at Chalcis on the Straits of Eubœa, retired, as if he had come to act upon the defensive, behind the Euripus, and established his court at that place for the winter.

Mean time the Romans prepared themselves as for a struggle of great difficulty, and probably of long duration (*x*). They considered the abilities of Hannibal, employed to conduct the forces of Asia, as a sufficient ground of alarm. Their first object was to guard Italy and their other possessions. An army of observation was for this purpose stationed at Tarentum. A numerous fleet was ordered to protect the coast. The Pretors and other officers of State, with proper forces under their command, had charge of the different districts of Italy that were suspected of inclining to the enemy, or of being disaffected to the commonwealth. The instructions given to these officers, were to observe what was passing in the several quarters to which they were sent, but to avoid every occasion of animosity or tumult that might open a way for the admission of an enemy, or shew an invader where to direct his attack.

Having made these dispositions for their own security, they proceeded to form an army which was to act offensively, and to fix the scene of the war in

(*w*) Liv. lib. xxxv. c. 33. (*x*) Appian Syriacæ, p. 95.

their

their enemy's country. Bæbius, a Prætor of the preceding year, under pretence of oppoſing Nabis, who had renewed the war in the Peloponneſus, had already paſſed into Epirus with a conſiderable force. Acilius Glabrio, one of the Conſuls of the preſent year, to whoſe lot this province had fallen, was underſtood to have in charge the farther preparations that were making for a war in that country, and haſtened the aſſembling of an army and fleet ſufficient to diſconcert the meaſures of the parties that were ſuppoſed to be forming againſt the Romans.

The uſual tithes of corn were ordered from Sardinia, and double tithes from Sicily, to ſupply the army in Epirus. Commiſſaries likewiſe were ſent to Carthage and Numidia, in order to purchaſe ſupplies from thence. And with ſuch a ſenſe of its importance did the Romans enter on this war, that the Conſul Cornelius iſſued an edict, prohibiting all Senators, and all thoſe who were intitled to be admitted into the Senate, to abſent themſelves from Rome above one day at a time, and requiring that no more than five Senators ſhould on the ſame day be abſent from the city.

The equipment of the fleet was retarded by a diſpute that aroſe with eight of the maritime colonies or ſea-ports, who pretended to a right of exemption from the preſent ſervice. But their plea, upon an appeal to the Tribunes, and a reference from them to the Senate, was over-ruled.

Antiochus paſſed the winter at Chalcis in a manner too common with princes of a mean capacity, who put every matter of perſonal caprice on the ſame footing with the affairs of State. Being enamoured of a Grecian beauty, he employed the attention of his court on feaſts and proceſſions, deviſed for her entertainment, and to enhance his pleaſures. His reputation declined, and his forces

BOOK I. forces made no progreſs either in numbers or diſcipline.

In the ſpring he loſt ſome time in forming confederacies with petty States, which are ever under the neceſſity of declaring themſelves for the prevailing power, and who change their ſide with the reverſes of fortune. Having traverſed the country from Beotia to Acarnania, negotiating treaties with ſuch allies as theſe, he had paſſed into Theſſaly, and had beſieged Lariſſa, when the Roman Prætor began to advance from Epirus.

After the contending parties had thus taken the field, and the armies of Rome and of Syria were about to decide the ſuperiority on the frontiers of Macedonia, Philip ſeemed to remain in ſuſpence, having yet made no open declaration to which ſide he inclined. He had felt the arms of the Romans, and had reaſon to dread thoſe of Antiochus.

The princes who divided the Macedonian empire were not only rivals in power, they were in ſome degree mutual pretenders to the thrones which they ſeverally occupied; Philip, probably conſidering Antiochus, in this capacity, as the principal object of his jealouſy, took his reſolution to declare for the Romans; and having accordingly joined the Prætor on the confines of Theſſaly, their vanguard advanced to obſerve the poſition and motions of the enemy.

Antiochus, upon the junction of theſe forces, thought proper to raiſe the ſiege of Lariſſa. From this time forward he ſeemed to have dropped all his ſanguine expectations of conqueſt in Europe, was contented to act on the defenſive, and when the Roman Conſul arrived in Epirus, and directed his march towards Theſſaly, he took poſt at the Straits of Thermopylæ, intending to ſhut up this paſſage into Greece; but being diſlodged from thence, his army was routed, the greater part of it periſhed in the flight, and he himſelf, with no more

more than five hundred men, escaped to Chalcis, his former retreat in Euboea, from whence he soon after set sail for Asia. CHAP. VI.

Upon the flight of Antiochus, the Etolians alone remained in the predicament of open enemies to the Romans. They were yet extremely irresolute and distracted in their councils. After having brought the king of Syria into Europe, they had not supported him with a sufficient force; aud now, upon his departure, being sensible of their danger from the Romans, a powerful enemy whom they had greatly provoked, they endeavoured to persuade the king to return; representing to him how much he was concerned to furnish that arrogant people with a sufficient occupation in Greece, to prevent their passing into Asia. They at the same time made offers of pacification and of submission to the Romans, but were received in a manner, which gave them no hopes of being able to palliate the offence they had given. The Consul advanced into their country, laid siege to Naupactus, and having reduced that place and the whole nation to great distress, agreed to a cessation of arms, only while they sent deputies to Rome to implore forgiveness and to make their peace with the Senate. Such was the posture of affairs when Lucius Cornelius Scipio, being elected one of the Consuls for the ensuing year, was destined to succeed Acilius Glabrio in Etolia; and, with his brother Publius, the victor in the battle of Zama, who was to act as second in command, had orders to prosecute the war against the kingdom of Syria.

These leaders being arrived in Greece, and intent on the removal of the war into Asia, willingly accepted of the submission of all the towns that had incurred any suspicion during the stay of Antiochus in Europe; and leaving the difference which remained to be settled with the Etolians in a state of

 negociation,

BOOK I. negociation, they proceeded without delay, by the route of Macedonia and Thrace, towards the Hellefpont.

In paffing through thefe countries, they were conducted and furnifhed with all the neceffary fupplies of provifions and carriages by Philip.

The fleets of Afia and Europe, during this march of the Roman army, contended for the command of the feas. That of Europe, which was joined by the navy of Rhodes, and even by that of the Carthaginians, who, to vindicate themfelves from any blame in the prefent war, had taken part with their rival, after various encounters, obtained the victory in a decifive battle, which made them entire mafters of the fea, and opened all the ports of Afia to the fhipping of the Romans.

The king of Syria had fortified Seftos and Abydos on the Hellefpont, and Lyfimachia on the ifthmus of Cherfonefus, with an apparent refolution to difpute the march and paffage of the Scipios at all thefe different ftations. But on the total defeat of his navy, he either confidered thofe places as loft, or, fearing to have his forces feparately cut off in attempting to defend them, he withdrew his garrifons from Lyfimachia, Seftos, and Abydos; and while he thus opened the way for his enemies to reach him, gave other figns of defpondency, or of a difpofition to fink under adverfity, making overtures of peace, and offering to yield every point which he had formerly difputed in the war. In reply to thefe offers he was told, That he muft do a great deal more; that he muft fubmit to fuch terms as the Romans were intitled to expect from victory. But as he continued to affemble his forces, he chofe rather to ftake his fortune on the decifion of a battle; and having in vain endeavoured to make himfelf mafter of Pergamus, the capital of Eumenes, he fell back on Thyatira, and from

from thence proceeded to take post on the mountains of Sypylus, where he meant to contend for the empire of Asia. CHAP. VI.

In the mean time the Scipios advanced to the Hellespont, and without any resistance passed the Strait. This was the first time that any Roman army set foot on Asia; and being met by the deputies of the king with the overtures of peace that have been mentioned, sent accounts to Rome of their arrival; and made a halt for some days.

This descent was considered by the Romans as an epoch of great renown; and the messenger who brought the accounts of it was received with processions and solemn rites. Supplications and prayers were offered up to the gods, that this first landing of a Roman army in Asia might be prosperous for the commonwealth. U. C. 562.

Publius Scipio, the famous antagonist of Hannibal, soon after his arrival in Asia, was taken ill; or, what may be supposed for his honour, being desirous not to rob his brother of any share in the glory which he perceived was to be easily won against the present enemy, he affected indisposition, and remained at a distance from the camp. Lucius, thus left alone to command the Roman army, advanced upon the king, attacked him in the post he had chosen, and, in a decisive victory, dispersed the splendid forces of Asia, with all their apparatus of armed chariots, horses, and elephants, harnessed with gold.

The king himself fled with a few attendants, passed through Sardis in the night, and continued his flight to Apamea in Pisidia, where he expected to be out of the reach of his pursuers.

Thyatira, Sardis, and Magnesia soon after opened their gates to the Romans; and the king himself by a messenger from Apamea, again made haste to own himself vanquished, and to sue for peace.

 The

BOOK I.

The Romans, to diſplay a moderation which they frequently affected in the midſt of their victories, renewed the ſame conditions which they had preſcribed on their arrival in Aſia; and a ceſſation of arms being granted, officers from Antiochus, and from all the other parties concerned in the approaching treaty, repaired to Rome, in order to receive the final deciſion of the Senate and People, on the future ſettlement of their affairs.

Eumenes, the king of Pergamus, on this occaſion, attended in perſon, and, together with the republic of Rhodes, who had diſtinguiſhed themſelves by their zeal and faithful ſervices in the late war, became the principal gainer in the treaty.

It was agreed by the Senate, that the preliminary articles already preſcribed by the Conſul ſhould be confirmed:

That, according to theſe articles, Antiochus ſhould reſign all his pretenſions in Europe, and contract the boundaries of his kingdom in Aſia within the mountains of Taurus:

That he ſhould pay to the Romans, at ſucceſſive terms, five thouſand talents to reimburſe the expence of the war:

To Eumenes four hundred talents on the ſcore of a debt that had been due to his father.

And, for the performance of theſe conditions, ſhould give twenty hoſtages, ſuch as the Romans ſhould name.

In the farther execution of this treaty, the Romans again appeared to be ſolicitous only for the intereſt of their allies, and required no more than indemnification for themſelves. They appointed ten commiſſioners to repair into Aſia, and there to determine the ſeveral queſtions that might ariſe relating to the ſettlement of that country. In the mean time they publiſhed to all parties the following inſtructions, as the baſis on which the commiſſioners were to proceed:

That

CHAP. VI.

That the preliminaries of the peace with Antiochus already offered ſhould be ratified:

That all the provinces which he was to evacuate, except Caria and Lycia, were to be aſſigned to Eumenes:

That theſe provinces, bounded by the Meander on the eaſt, ſhould be given to the republic of Rhodes:

That all the Greek cities which had been tributary to Eumenes ſhould continue ſo, and all which had been tributary to Antiochus ſhould be ſet free (z).

A ſettlement was accordingly ſoon after made in Aſia in theſe terms; and the Romans, while they were haſtening to univerſal dominion, appeared to have no object beyond the proſperity of their allies: they were merciful to the vanquiſhed, and formidable only to thoſe who preſumed to reſiſt their arms. In the midſt of their conqueſts, they reſerved nothing to themſelves beſides the power of giving away entire kingdoms and provinces; or, in other words, they reſerved nothing but the power of ſeizing the whole at a proper time, and for the preſent, the ſupreme aſcendant over all the conquered provinces that were given away, and over thoſe who received them.

The Etolians were now the only parties in Greece who pretended to hold their liberties, or their poſſeſſions, by any other tenure than that of a grant from the Romans.

During the dependance of the war in Aſia, the Etolians were making continual efforts to recover their own loſſes, and to preſerve the city of Ambracia, then beſieged by the Romans; but, upon the defeat of Antiochus, the Ambraciots ſurrendered at diſcretion, and the Etolians ſued for peace.

(z) Polyb. Excerptæ Legationes, c. 35.

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Ambracia had been the capital of Pyrrhus, and now furnifhed the captor with a plentiful fpoil of ftatues, pictures, and other ornaments to adorn his triumph. The Etolians, at the interceffion of the Athenians, were allowed to hope for peace on the following terms (*a*).

That they fhould not allow to pafs through their country the troops of any nation at war with the Romans:

That they fhould confider the allies of Rome as their allies, and the enemies of Rome as their enemies:

That they fhould make inftant payment of two hundred talents in filver, the ftandard of Athens; and of three hundred more at feparate inftalments within fix years:

That if they chofe to make thefe payments in gold rather than filver, the proportion fhould be one of gold to ten of filver; and that they fhould give hoftages for the performance of thefe feveral articles (*b*).

While the Etolians were on thefe terms concluding a peace, or rather obtaining a pardon, the Conful Manlius, who had fucceeded the Scipios in Afia, willing, if poffible, to bring back into Italy, together with the victorious legions, fome pretence of a triumph for himfelf, led his army againft the Galatians. Thefe were the defcendants of a barbarous horde, which had, fome ages before, migrated from the north of Europe, vifited Italy and Greece in their way, and ftopped on the Halys in the Leffer Afia, where they made a fettlement, round which they levied contributions quite to the fhores of the Euxine, the Mediterranean, and Eugean Seas. Their forces had lately made a part in the army of Antiochus, and they had not yet acceded to the peace which that prince had ac-

(*a*) Polyb. Excerptæ Legationes, c. 28. (*b*) Ibid.

cepted.

cepted. By theſe means they furniſhed the Roman Conſul with a pretence for invading their country; and being unable to reſiſt him, ſubmitted at diſcretion. In thus extinguiſhing the remains of every hoſtile combination, the Romans took care to ſatisfy the world that it never was ſafe to take part againſt them in any confederacy, and that, while they never abandoned any ally of their own, they were in condition to compel the powers, with whom they were at war, frequently to abandon theirs.

Thus ended the firſt expedition of the Romans into Aſia; in the reſult of which, without ſeeming to enlarge their own dominions, they had greatly reduced the powers both of the Syrian and Macedonian monarchies; and by reſtoring, whether from inclination or policy, every State to its independence, they had balanced a multitude of parties againſt each other, in ſuch a manner, as that no formidable combination was likely to be formed againſt themſelves; or if any one, or a few parties, ſhould preſume to withſtand their power, many others were ready to join in the cry of ingratitude, and to treat any oppoſition that was made to them as an unworthy return to thoſe who had ſo generouſly eſpouſed the cauſe of mankind.

The pacification of Aſia and Greece left the republic at leiſure to manage its ordinary quarrels with nations unſubdued on the oppoſite frontier. In the weſt, hoſtilities had ſubſiſted without interruption, during the whole time that the State was intent on its wars in the Eaſt, and triumphal proceſſions were exhibited by turns from thoſe oppoſite quarters.

In Spain the commanders were, for the moſt part, annually relieved, and the army annually recruited from Italy. The variety of events which are mentioned, and the continuance of the

BOOK I. the war itſelf are ſufficient to evince that no deciſive victories were obtained, or conqueſts finally made. On the coaſt of Spain there were many Greek or African ſettlements eſtabliſhed for commerce. Of theſe the Romans, either as having ſupplanted the Carthaginians, formerly their maſters, or as having ſubdued the natives, were ſtill in poſſeſſion. But the interior parts of the country were occupied by many hordes, who appear to have been collected in townſhips and fortified ſtations, from which they aſſembled to oppoſe the Roman armies in the field, or in which they defended themſelves with obſtinate valour. Though often defeated, they ſtill renewed the conteſt. Tiberius Sempronius Gracchus, in the year of Rome five hundred and ſeventy-four, about ten years after the peace with Antiochus, is ſaid to have received the ſubmiſſion of one hundred and three towns of that country *(c)*. The troubles of Spain were neverthele ſs, renewed under his ſucceſſors, and continued to occupy the Roman arms with a repetition of ſimilar operations, and a like variety of events.

The war in Liguria was nearly of the ſame deſcription with that in Spain; continued ſtill to occupy a certain part of the Roman force; and, both before and after the late expedition to Greece and Aſia, was for ſome years the principal employment of both the Conſuls. Here, however, the Romans made a more ſenſible progreſs towards an entire conqueſt than they made in Spain. They facilitated their acceſs to the country by highways acroſs the mountains; they reduced the numbers of the enemy by the ſword and by the ordinary diſtreſſes of war; and, after the experience of many pre-

(c) Liv. lib. xl. c. 50. & paſſim.

tended

tended ſubmiſſions, and repeated revolts of that people, who ſeemed to derive the ferocity of their ſpirit, as well as the ſecurity of their poſſeſſion, from the rugged and inacceſſible nature of their country, it was determined to tranſplant the natives to ſome of the more acceſſible parts of Italy, where the lands, being waſte from the effect of former wars, were ſtill unoccupied and at the diſpoſal of the republic (*d*). CHAP. VI.

(*d*) Liv. lib. xl. c. 38.

CHAP.

CHAP. VII.

State of Italy.—Character of the Roman Policy.—Death of Scipio and of Hannibal.—Indulgence of the Romans to the King of Macedonia.—Complaints against Philip.—Succession of Perseus, and Origin of the War.—Action on the Peneus.—Overtures of Peace.—Progress of the War.—Defeat of Perseus at Pidna, by Paulus Emilius.—His Flight and Captivity.—Settlement of Macedonia and Illyricum.—Manners of the Romans.

BOOK I.

BY the methods above related the Romans proceeded to extend their dominion over all the districts around them, and either brought to their own standard, or disarmed, the several nations who had hitherto resisted their power. While they were about to accomplish this end, the Transalpine Gauls, still having their views directed to the southward of the mountains, made some attempts at migration into Italy, in one of which they settled a party of their people at Aquileia. The Romans were alarmed, and ordered these strangers to be dislodged and reconducted across the Alps.

This circumstance suggested the design of securing the frontier on that side by a colony; and for this purpose a body of Latins was accordingly sent to Aquileia, a settlement which nearly completed the Roman establishments within the Alps. The country was now, in a great measure, occupied by colonies of Roman and Latin extraction, who, depending on Rome for protection, served, wherever they were settled, to carry the deepest impressions of her authority, and to keep the natives in a state of subjection to her government.

The domeſtic policy of the State, during this period, appears to have been orderly and wiſe beyond that of any other time. The diſtinction between Patrician and Plebeian was become altogether nominal. The deſcendants of thoſe who had held the higher offices of ſtate, were, in conſequence of the preferments of their anceſtors, conſidered as noble. Inſtead of a title of nobility, the ſon named his father and grandfather, who had been veſted with public honours. And as the Plebeians now found no difficulty in obtaining the offices of State, they were continually opening the way of their poſterity to the rank of Nobles. "Thus I," ſaid Decius Mus, while he pleaded to have the prieſthood *(a)*, joined to the other honours which the different orders of the People enjoyed in common, "can cite my father in the rank of Conſul; and "my ſon can cite both his grandfather and "me *(b)*." The Plebeians were intitled by law to claim one of the Conſul's ſeats, and frequently occupied both.

The authority of the Senate, the dignity of the Equeſtrian Order, and the manners of the People in general, were guarded, and, in a great meaſure, preſerved, by the integrity and ſtrict exerciſe of the Cenſorial power. The wiſeſt and the moſt reſpected of the citizens, from every condition, were raiſed into office; and the aſſemblies, whether of the Senate, or the People, without envy, and without jealouſy, ſuffered themſelves to be governed by the counſels of a few able and virtuous men. It is impoſſible otherwiſe to account for that ſplendor with which the affairs of this republic, from the time of the firſt Punic war to that of the laſt wars with Macedonia and Carthage, though committed to hands that were continually chang-

(*a*) Vid. B. i. c. 3. (*b*) Lib. lib. x. c. 8.

ing,

BOOK I.

ing, were, neverthelefs, uniformly and ably conducted.

The fpirit of the People was in a high degree democratical; and though they fuffered themfelves to be governed by the filent influence of perfonal authority in a few of their citizens, yet could not endure any fpecies of uncommon pre-eminence; even that which arofe from the luftre and well-founded pretenfions of diftinguifhed merit.

The great Scipio, with his brother Lucius, on their return from Afia, encountered a profecution, unworthily fupported by a popular clamour; which brought them to trial on a formal charge of fecreting part of the treafure received from Antiochus. It is likely, from the manner in which Publius Scipio difdained to anfwer this charge, that he carried his perfonal fpirit too high for democratical government, which can allow no private merit to come in competition with the rights of the people to fovereignty, and of individuals to equal attention in the State. At his firft citation on the libel which was brought againft him, feeming not to hear the perfon who accufed him, he reminded the people, that this was the anniverfary of that day on which they had gained the victory at Zama; and defired that they would follow him to the temples, in which he was to return thanks to the Gods for that important event. He was followed accordingly by the whole multitude, and the accufer for that time was deferted. At his fecond citation, he called for the paper of accounts, on which he had entered all the fums he had received in Afia; and, while the people expected, that he was to fatisfy them by a ftate of particulars, he tore the fcroll in their prefence; and, taking the privilege of a Roman citizen, retired, without deigning to give any anfwer, and went as an exile into a country village of Italy, where he foon after died.

The

The ſame year likewiſe terminated the life of his antagoniſt Hannibal. This great man, himſelf a ſufficient object of jealouſy to nations, was, by an article in the late treaty of peace with Antiochus, to have been delivered up to the Romans; and had, in order to avoid that danger, retired into Crete. From thence he took refuge with Pruſias, king of Bythinia, where the enmity of Rome ſtill purſued him, and where an embaſſy was ſent to demand that he ſhould be delivered up. As ſoon as he knew that this demand was actually made, and that the avenues to his dwelling were ſecured in order to ſeize him, he took poiſon, and died.

The Romans had been ſo well ſatisfied with the part which was taken by Philip in the late war with Antiochus, that they releaſed his ſon Demetrius, then at Rome, an hoſtage for payment of the father's tribute, of which they likewiſe remitted a part. They even connived at his recovering ſome of his former poſſeſſions, and made no inquiry into the numbers of his troops, in which he greatly exceeded the eſtabliſhment preſcribed by the laſt treaty. They continued in this diſpoſition during four years after the late peace with the king of Syria; and, in this interval, permitted the kingdom of Macedonia, by the improvement of its revenue, and the increaſe of its people, in a great meaſure to recover its former ſtrength.

Theſe circumſtances of proſperity, however, did not fail to excite apprehenſion in the minds of all thoſe who, holding independent poſſeſſions in that neighbourhood, were expoſed to be the firſt victims of this reviving power; and repreſentations, to awaken the attention of the Romans on this ſubject, were accordingly made at Rome, from Eumenes, the king of Pergamus, and from all the petty princes and ſmall communities on the frontier of Macedonia.

On

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On receiving theſe admonitions, the Senate, in their uſual form, ſent to the country from whence they were alarmed a ſelect number of their members to make inquiry into the real ſtate of affairs. Before a tribunal thus conſtituted, the king of Macedonia was cited to appear as a private party, firſt at Tempe, to anſwer the charge of the Theſſalians, and afterwards at Theſſalonica, to anſwer that of Eumenes. After a diſcuſſion, ſufficiently humbling to a ſovereign, he received ſentence, by which he was required to evacuate all the places he had occupied beyond the ancient limits of his kingdom. This ſentence he received with indignation and reſentment, which were too unguardedly expreſſed, and which rendered him from thenceforward an object of continual attention and of jealouſy to the Romans.

A ſecond commiſſion was granted to ſee the ſentence of the firſt put in execution; and as ſoon as it became publicly known, that the Romans were willing to receive complaints againſt Philip, and were diſpoſed to protect every perſon who incurred his diſpleaſure, ambaſſadors from the princes of Aſia, and perſons of every condition, from all the cities of Greece, and from all the diſtricts in the neighbourhood of Macedonia, reſorted to Rome with complaints againſt the king, ſome of a private, and others of a public nature. The city was crowded with ſtrangers, and the Senate was occupied, from morning to night, in hearing the repreſentations that were made by their allies on the ſubject of the uſurpations and oppreſſions they had ſuffered.

Philip, to divert the ſtorm, had ſent his younger ſon, Demetrius, to anſwer the ſeveral charges which were expected to be brought againſt him; and, in the end, obtained a reſolution of the Senate to accommodate matters on an amicable footing. This reſolution was grounded on pretence of the

the favour which the Romans bore to Demetrius, who had long resided as an hostage in their city. "The king will please to know," they said, "that "he has done one thing extremely agreeable to "the Romans, in trusting his cause to an ad-"vocate so well established in their esteem and "regard *(c)*."

This language of the Roman Senate respecting Demetrius, together with dangerous suggestions from some of his own confidents, probably inspired the young man with thoughts, or rendered him suspected of designs, injurious to the rights of Perseus, his elder brother. This prince took the alarm, and never ceased to excite the suspicions already formed in the breast of the father, until he prevailed in securing his own succession by the death of his younger brother *(d)*.

Philip, having ordered the execution of one son to gratify the jealousy of the other, lived about three years after this action, suffering part of the punishment that was due to him on that account, in the most gloomy apprehensions of danger from his surviving son, and died in great solicitude for the fate of his kingdom.

Perseus, nevertheless, in ascending the throne of Macedonia, gave hopes of a better and happier reign than that of his predecessor. He was immediately acknowledged by the Romans; and, during a few years after his accession, appeared to have no cause of disquietude from this people. Although he had adopted the measures of his father, and endeavoured, by attention to his revenue, his army, and magazines; and by forming alliances with some of the warlike Thracian hordes in his neighbourhood, to put his kingdom in a posture of defence, and in condition to assert its independence;

(c) Polyb. Excerpt. Legat. c. 46. Liv. lib. xxxix. 46—47.
(d) Liv. lib. xl. c. 24.

yet

BOOK I. yet he appears to have excited less jealousy in the minds of his neighbours. The progress which he made seems to have escaped the attention of the Romans; until, at last awakened by the report of a secret correspondence which he carried on with the republic of Carthage, they thought proper to send a deputation into Macedonia, in order to observe his motions.

By the deputies employed in this service, the Romans obtained intelligence, that Perseus had made advances to the Achæans as well as to the Carthaginians, and to other states; and was likely to form a powerful party among the Greeks.

From this time forward the leaders of the Roman councils seemed to have taken a resolution to remove this subject of jealousy, and to suppress the Macedonian monarchy. They renewed their attention to the state of parties in Greece, and endeavoured to reconcile all the differences that might incline any of those republics to oppose them in the execution of their design. They encouraged the king of Pergamus, who afterwards appears to have repented of the part which he took in that matter, to state his complaints. They brought him to Rome in person, and cited him before the Senate to give a complete detail of the circumstances that were alarming in the policy of Perseus. Eumenes, having been thus brought forward as a formal accuser, and being to return through Greece, in order to offer his devotions at the temple of Delphi, was assaulted and wounded by a party who meant to assassinate him; and this design, with some other acts of violence, being imputed to Perseus, served as a pretence for the war which followed.

The Roman Senate had already granted two separate commissions, the one of a deputation to visit Macedonia, and to observe the motions of Perseus; the other of an embassy into Egypt, to confirm their

CHAP. VII.

their alliance with Ptolomy. On hearing of the attempt that had been made to aſſaſſinate Eumenes, they directed one of the Prætors, Caius Sicinius, with a proper force to paſs into Epirus; and, in order to ſecure their acceſs into that country, to take poſſeſſion of Apollonia, and other towns on the coaſt. But a miſunderſtanding then ſubſiſting between the Conſuls, and other principal men of the Senate, cauſed ſome obſtruction in the farther immediate proſecution of the war.

Perſeus however, alarmed by the arrival of a Roman force in his neighbourhood, ſent an embaſſy to Rome with expoſtulations on the ſubject, and with offers, by every reaſonable conceſſion that the Senate or the People could require, to avert the ſtorm which threatened him. But the Romans, affecting reſentment of the injuries they pretended to have received, ordered his ambaſſadors, without delay, to depart from Italy; and give intimation, that, if for the future he ſhould have any thing to offer, he might have recourſe to the commander of the Roman army in Epirus.

The interview, which Perſeus ſoon after had with the Roman commiſſioners, terminated with the ſtrongeſt ſigns of hoſtility on both ſides (*e*). The king, however, having taken minutes of what paſſed at their conference, ſent copies to all the neighbouring ſtates, in order to exculpate himſelf from any guilt in the approaching war; and as the event afterwards ſhowed how much it was the intereſt of every ſtate to ſupport him, he being the only power that could give them any protection againſt the Romans; ſo numbers, already moved by this apprehenſion, were inclined to favour his cauſe. The Rhodians, then a formidable naval power, though reſtrained by fear from an open breach with the Romans, yet gave ſufficient evidence of this diſpoſi-

(*e*) Liv. lib. lxii. c. 25.

BOOK I. tion. Eumenes likewiſe, though a principal inſtrument in fomenting the preſent quarrel, ſoon became averſe to its conſequences. The Beotians and Epirots, as well as the Illyrians, openly declared for the king of Macedonia (*f*).

Theſe circumſtances were ſtated at Rome as additional grounds of complaint againſt the king; and his endeavours to vindicate the part he had acted, were conſidered as attempts to form a hoſtile confederacy againſt the republic.

Additional fleets and armies were accordingly aſſembled, and directed towards Epirus; and a declaration of war was iſſued in the form of an act of the Roman people.

The Romans had now, during about twenty-five years, borne a principal part among the nations that ſurrounded the Mediterranean ſea. The aſcendant they had gained in all their wars or treaties, had made them common objects of fear or reſpect to all the contiguous powers of Europe, Aſia, and Africa. The Macedonians, however, as the lateſt conquerors of the world, ſtill retained a very high reputation for military ſkill and valour. The events of the late war rather ſurprized mankind, than convinced them of any decided ſuperiority on the part of the Roman arms. The novelty of a new enemy, the miſtakes or miſconduct of the late king, might have accounted for his ill ſucceſs. The kingdom had now been above twenty years exempted from any ſignal calamity, had re-eſtabliſhed its armies, and filled its magazines and its coffers. The military eſtabliſhment amounted to forty thouſand men; the greater part formed and diſciplined upon the plan of the phalanx, and ſupported with numerous troops of irregulars from the warlike cantons of Thrace. The king himſelf, in the vigour of manhood, ſenſible that the ſtorm could

(*f*) Polyb. Excerptæ Legationes, c. 64—67.

not

not be diverted, affected rather to desire than to decline the contest; and, under all these circumstances, nations seemingly least interested in the consequences were intent on the scene that was about to be opened before them. CHAP. VII.

Eumenes, supposed to be incited by inveterate animosity to Perseus, and by recent provocations, prepared to fulfil his professions in behalf of the Romans.

Ariarathes, the king of Cappadocia, equally inclined by policy to wish for a counterpoise to the Macedonian power, but having recently formed an alliance by marriage with the family of Perseus, determined to be neutral in the war.

Ptolomy Philomater, who then filled the throne of Egypt, was a minor. Antiochus Epiphanes, who had lately succeeded his brother Seleucus, in the kingdom of Syria, having been some time an hostage at Rome, affected in his own court the manners of a Roman demagogue; but was chiefly intent on his pretensions to Cælesyria, which he hoped to make good under favour of the approaching conjuncture formed by the minority of Ptolomy, and by the avocation of the Roman forces in Greece.

The Carthaginians, and the king of Numidia, while they severally preferred their complaints against each other before the Roman Senate, vied likewise in their professions of zeal for the Roman republic, and in their offers of supply of men, horses, provisions, or ships.

Gentius, the king of Illyricum, had incurred the jealousy of the Romans; but remained undetermined what part he should take.

Cotys, a Thracian king, declared openly for Perseus. The people of Greece, in their several republics were divided among themselves. The popular parties in general, being desirous to exchange the government of their own aristocracies for

BOOK I. for that of a monarchy, favoured the king of Macedonia. The leading men were either inclined to the Romans, or wished to balance the rival powers, so as to have, in the protection of the one, some security against the usurpations of the other *(g)*.

The Romans had committed an error by sending a small force into Epirus, which the king of Macedonia might have cut off before it could be properly supported from Italy; but their commissioners then in that country, had the address to amuse the king with a negociation, and to divert him, during the first year of the war, from any attempt on Apollonia, or on any other station then in possession of the Roman troops.

In the following summer, about seven years after the accession of Perseus to the throne of Macedonia, the war in that kingdom being committed to the Consul Licinius, this general followed the army which had been transported to the coast of Epirus; and while the Roman fleet, with their allies, assembled in the straits of Eubœa, the armies on both sides began their operations. The Macedonians encamped at Sycurium on the declivity of mount Ossa. The Roman Consul penetrated into Thessaly; and, having passed the river Peneus, took post at Scea, twelve miles from the camp of the enemy. Here he was joined by Attalus, brother to the king of Pergamus, with four thousand men, and by smaller bodies collected from different states of Greece.

Perseus endeavoured to lay waste the kingdom of Pheræ, from which the Romans drew the greatest part of their subsistence; and an action ensued, in which the whole cavalry and light infantry of both armies being engaged, the Romans were defeated; and the Consul, no longer able to sup-

(g) Liv. lib. xlii. c. 29—30.

port

port his foraging parties on that ſide of the Peneus againſt a ſuperior enemy, decamped in the night, and repaſſed the river.

Although this victory had a tendency to raiſe the hopes of the king, it was by him wiſely conſidered as a fit opportunity to renew the overtures of peace; and, in order to bring on a negociation, it was reſolved, that the conditions which, under the misfortune of repeated defeats, had been offered by his father, ſhould be made the preliminaries of the preſent treaty.

It appeared to the king, and to thoſe with whom he conſulted, that, in the ſequel of a victory, this would appear an act of moderation, not of fear; that all neutral powers, who dreaded the conſequences of a decided ſuperiority on either ſide, would favour the perſon who ſhould propoſe to have peace re-eſtabliſhed on moderate terms; and that the Romans, being induced to terminate the war under the effects of a defeat, would from thenceforward reſpect the Macedonian monarchy, and be cautious how they diſturbed its tranquillity.

But if in this manner the opportunity was perceived, and wiſely laid hold of by the councils of Perſeus, it by no means eſcaped the Roman council of war, which was aſſembled to receive the propoſals of the king.

The Romans, whether from national ſpirit or policy, at all times declined entering on negociations or treaties in conſequence of defeats. They ſpurned the advances of a victorious enemy, while they received thoſe of the vanquiſhed with condeſcenſion and mildneſs. They accordingly, in the preſent caſe, treated the conceſſions of Perſeus with diſdain, haughtily anſwering, that he muſt ſubmit at diſcretion (*h*).

(*h*) In adverſis vultum ſecundæ fortunæ gerere, moderari animos in ſecundis. Liv. lib. xlii. c. 62.

This

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This reply was received at the court of Perſeus with extreme ſurprize. But it produced ſtill farther conceſſions; and inſtead of reſentment from the king, a repetition of his meſſage with an offer to augment the tribute which had been paid by his father (*i*).

The remainder of the ſummer having paſſed in the operations of foraging parties, without any conſiderable action, the Romans retired for the winter into Beotia. On this coaſt the fleet, having met with no enemy at ſea, had made repeated deſcents to diſtreſs the inhabitants who had declared for the king. The conſul took poſſeſſion of his quarters, without any reſiſtance, in the interior parts of the country, and in this, with the progreſs that was made by the army employed on the ſide of Illyricum in detaching that nation from Perſeus, conſiſted the ſervice of the firſt campaign.

Licinius, at the expiration of the uſual term, was relieved by his ſucceſſor in office, A. Hoſtilius Marcius. This commander, being defeated and baffled in ſome attempts he made to penetrate into the kingdom of Macedonia, appears to have made a campaign ſtill leſs fortunate than that of his predeceſſor; and the Senate, at the end of the ſummer, having ordered him home to preſide at the annual elections, ſent a deputation to viſit the army, and to enquire into the cauſe of their miſcarriages, and the ſlowneſs of their progreſs.

The Romans, although they had experienced diſappointments in the beginning of other wars, particularly in their firſt encounters with Pyrrhus and with Hannibal; and had reaſon to expect a ſimilar effect in the opening of the preſent war, appear to have been greatly mortified and ſurprized at this unpromiſing aſpect of their enterprize. They were engaged with an enemy renowned for

(*i*) Polyb. Excerpt. Legat. c. 69.

diſcipline,

discipline, who had made war a trade, and the use of arms a profession; while they themselves, it appears, for a considerable period after the present war, even during the most rapid progress of their arms, had no military establishment besides that of their civil and political constitution, no soldiers besides their citizens, and no officers but the ordinary magistrates of the commonwealth.

If this establishment had its advantages (*k*), it may have appeared, on particular occasions, likewise to have had its defects. The citizen may have been too much a master in his civil capacity to subject himself fully to the bondage of a soldier; and too absolute in his capacity of military officer to bear with the controul of political regulations. As the obligation to serve in the legions was general and without exception, many a citizen, at least in the case of any distant or unpromising service, would endeavour to shun his duty. And the officer would not always dare to enforce disagreeable duty on those by whom he himself was elected, or on whom he in part depended for farther advancement.

At the beginning of this war, the legions were augmented from five thousand two hundred foot and two hundred horse, to six thousand foot and three hundred horse (*l*); and probably, to raise the authority of the Consul more effectually into that of a commander in chief, he was commissioned to name the Tribunes, as well as the Centurions of the army, that were to serve under his orders: but, upon a complaint that this extension of the Consul's powers did not, by enforcing the discipline of the army, serve the purpose for which it was made, the people resumed their right of election in the appointment even of inferior officers. The deputies now sent into Macedonia by the Senate reported, that the legions employed in that

(*k*) Vid. B. i. c. 3.

(*l*) Liv. lib. xliii. c. 12.

country

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country were extremely incomplete, numbers both of the lower officers and private men being, by the dangerous indulgence of their leaders, suffered to abſent themſelves from their colours (*m*). This abuſe we may apprehend to have been frequent in a ſervice that was to be performed by citizens who had the choice of their own commanders. And from ſpeculative ideas on the ſubject, if we were not bound to be governed by experience as the preferable tutor, we ſhould be apt to reject, as an improper mode of forming armies, that eſtabliſhment by which the Romans conquered the world.

It is probable, that not only the defect of ſubordination in the beginning of every war, but that of ſkill, likewiſe, in the uſe of their peculiar weapons, made, in the Roman armies, a great diſparity between raw and veteran troops.

The uſe of the buckler and ſword required great ſkill, agility, and muſcular ſtrength; all of them the effect of exerciſe and of continued practice.

The experience of the ſoldier who ſurvived many actions tended to confirm his courage, becauſe his eſcape was in a great meaſure the effect of his ſkill, or of his ſtrength; and upon a return of ſimilar dangers, gave him confidence in himſelf.

In battles the ſtrong and the ſkilful eſcaped, the weak and the awkward were likely to periſh; and every action not only exerciſed the arms of thoſe that ſurvived, but made a ſelection of the vigourous and ſkilful to be reſerved for future occaſions.

Hence probably, in the Roman armies, much more than in thoſe of modern Europe, the practiſed ſoldier had a great ſuperiority over the novice; and citizens, when brought into the field by rotation, had much to learn in the courſe of every campaign.

(*m*) Liv. lib. xliii. c. 11.

In

In the present contest, the checks of the first and the second year of the war, though extremely mortifying to the Romans, were received without any signs of irresolution, or change of their purpose. In the third year after hostilities commenced, the command of the army in Macedonia devolved on Q. Marcius Philippus, who, being chosen one of the Consuls, drew his province as usual by lot. This officer had been employed in one of the late deputations that were sent into Greece; had shown his ability in the course of negociations which preceded the war; and now, by his conduct as a general, broke through the line with which the king had endeavoured to secure the passes of the mountains, and to cover the frontier of his kingdom. But, when he had penetrated into Macedonia, he found himself at the end of the season, and for want of proper supplies of provisions on that side of the mountains, unable to pursue the advantage he had gained. Here, therefore, he staid only to deliver his army to Emilius Paullus, who had been named to succeed him. This was the son of that Paullus, who, being one of the Consuls who commanded the Roman army at Cannæ, threw away his life rather than survive that defeat. The son was now turned of sixty (*m*); and by the length of his service, and the variety of his experience in Liguria and Spain, was well acquainted with the chances of war.

Emilius Paullus, upon his election, in order that he might not be liable to answer for the faults of his predecessors, moved, that deputies should be sent into Macedonia to review the army, and to make a report of its state before he entered upon the command. His speech to the People, when about to depart for his province, carries a striking allusion to the petulant freedom with which, it

(*m*) Plutarch. in Vit. Emil. p. 157.

seems,

BOOK I. seems, unsuccessful commanders were censured, or traduced in the popular conversations at Rome, and carries a defiance with which he proposed to silence the blame that might afterwards be cast on himself. "Let such as think themselves qualified to advise "the general," he said, "now accompany me into "Macedonia. They shall have a passage on board "my ship; and, in the field, be welcome to a "place in my tent and at my table; but if they "now decline this offer, let them not afterwards "pretend to judge of what they neither see nor "understand. Nor let them set up their own "opinion against that of a fellow-citizen, who is "serving the public to the utmost of his ability, "and at the hazard of his life and of his ho- "nours."

Emilius, upon his arrival in Macedonia, found the king entrenched on the banks of the Enipeus, with his right and left covered by mountains, on which all the passes were secured. After some delay, during which he was employed in observing the enemy's disposition, or in improving the discipline of his own army, he sent a detachment to dispossess the Macedonians of one of the stations which they occupied on the heights, with orders to the officer who commanded in this service, that, if he succeeded in it, he should fall down on the plain in the rear of the enemy; he himself, in the mean time, made a feint to attack them in front.

The post on the heights being forced, Perseus relinquished his present disposition, and fell back towards Pydna on the banks of the Aliacmon. Here it became necessary for him either to hazard a battle, or, on account of the nature of the country behind him, to separate his forces.

He preferred the first, and made choice of a plain that was fit to receive the phalanx, and was skirted with

with hills, on which his light troops could act with advantage. CHAP. VII.

Here too the Roman consul continued to press upon him, and was inclined to seize the first opportunity of deciding the war. Both armies, as by appointment, presented themselves on the plain in order of battle, and Emilius Paullus seemed eager to engage; but, as he himself used to confess, having never beheld an appearance so formidable as when the Macedonians levelled their spears, he thought proper to halt (n). Though much disconcerted, he endeavoured to preserve his countenance, would not recede from his ground; and that he might encamp his army where they now stood, ordered the first line to remain under arms, and ready to attack the enemy, while those who were behind them began to intrench; having in this manner cast up a breast-work of considerable strength, he retired behind it, and under that cover completed the fortifications of a camp in the usual form.

In this position he waited for an opportunity to draw on an engagement, when the enemy should be less prepared to receive him, or not have time to avail themselves so much of that formidable order which constituted the strength of the phalanx.

This occasion soon afterwards seemed to be offered by a skirmish which happened in the fields between the two armies. A horse, having broke loose from the camp of the Romans, fled towards that of the Macedonians, was followed by the soldiers from whom he escaped, and met by their enemy from the opposite camp. These parties engaged, and each being joined by numbers from their respective armies, brought on at last a general action. The ground was favourable to the phalanx; and the Macedonians, though hastily formed,

(n) Polyb. Fragment. vol. iii. p. 243.

still

BOOK I. ſtill poſſeſſed againſt the Romans the advantage of their weapons, and of their formidable order. They filled up the plain in front, and could not be flanked. They had only to maintain their ground, and had no occaſion to diſcompoſe their ranks, in time of the action, by any change of poſition. They accordingly withſtood with eaſe the firſt ſhock of the Roman legions; but were broken and disjointed in the ſequel by the ſeemingly irregular attacks which were made at intervals by the manipules, or the ſeparate diviſions of the Roman foot. The parts of the phalanx that were attacked, whether they were preſſed in, or came forward to preſs on their enemy, could not keep in an exact line with the parts that were not attacked. Openings were made, at which the Roman ſoldier, with his buckler and ſhort ſword, could eaſily enter. Emilius, obſerving this advantage, directed his attack on thoſe places at which the front of the phalanx was broken; and the legionary ſoldier, having got within the point of his antagoniſt's ſpear, pierced to the heart of the column, and in this poſition made a havock which ſoon threw the whole into diſorder and general route (*o*).

Twenty thouſand of the Macedonians were killed in the field, five thouſand were made priſoners in their flight; and ſix thouſand that ſhut themſelves up in the town of Pydna were obliged to ſurrender at diſcretion (*p*).

After this defeat, the king of Macedonia, with a few attendants, fled to Pella, where, having taken up his children and the remains of his treaſure, amounting to ten thouſand talents, or about two millions of pounds ſterling (*q*), he continued his flight to Amphipolis, and from thence to Samothracia, where he took refuge in the famous ſanctuary of that iſland.

(*o*) Plutarch in Vit. Emil. p. 173. (*p*) Liv. lib. xliv. c. 42.
(*q*) Juſtin. lib. xxxiii. c. 1.

Emilius

Emilius pushed on to Amphipolis, receiving the submission of all the towns and districts as he passed. The Prætor, Octavius, then commanding the Roman fleet, beset the island of Samothracia with his ships; and, without violating the sanctuary, took measures that effectually prevented the king's escape.

This unfortunate prince, with some of his children, delivered themselves up to the Prætor, and were conducted to the camp of Emilius. The king threw himself on the ground, and would have embraced the victor's knees, when the Roman general, with a condescension that is extolled by ancient historians, gave him his hand, and raised him from the ground, but reproached him as the aggressor in the late contest with the Romans; and with a lesson of morality, which tore up the wounds of the unfortunate monarch, bid the young men who were present look on this object as an example of the instability of fortune, and of the vicissitude of human affairs.

While the war in Macedonia was coming to this issue, that in Illyricum had a like termination, and ended about the same time in the captivity of the king.

News of both were received at Rome about the same time, and filled the temples, as usual, with multitudes who crowded to perform the public rites of thanksgiving that were ordered by the Senate. Soon after which, embassies arrived from all the kings and states of the then known world, with addresses of congratulation on so great an event. The Senate proceeded to form a plan for the settlement of Macedonia.

It was resolved to extinguish the monarchy, to divide its territory into four districts, and in each to establish a republican government, administered by councils and magistrates chosen by the People. This, among the Greeks, could bear the interpretation

BOOK I. tation of beſtowing abſolute liberty. Ten commiſſioners were named to carry this plan into execution in Macedonia, and five were appointed for a ſimilar purpoſe in Illyricum. Emilius was continued in his command, and the army ordered to remain in Macedonia until the ſettlement of the province ſhould be completed.

The Commiſſioners, agreeably to their inſtructions, fixed the limits of the ſeveral diſtricts, and, probably to perpetuate the ſeparation of them, or to prevent any dangerous communication between their inhabitants, prohibited them to intermarry, or to hold any commerce in the property of land, from one diviſion to another.

To ſome other reſtrictions, which had more a tendency to weaken or to diſmember this once powerful monarchy, than to confer freedom on the people, they joined an act of favour, in conſiderably diminiſhing their former burdens, reducing their tribute to one half of what they had uſually paid to their own kings; and, to facilitate or to ſecure the reception of the republican form which was deviſed for them, they ordered all the ancient nobles, and all the retainers of the late court, as being irreconcileable with the equality of citizens under a republic, to depart from the kingdom, and to chuſe places of reſidence for themſelves in Italy.

A like plan was followed with reſpect to Illyricum, which was divided into three diſtricts; and the kings both of Macedonia and of this country, with many other captives, were conducted to Rome to adorn the triumph of their conquerors.

Perſeus is ſaid to have lived as a priſoner at Alba, about four years after he had been exhibited in this proceſſion. Alexander, one of his ſons, had an education calculated merely to procure him ſubſiſtence, and was afterwards, as a ſcribe or a clerk,

clerk, employed in ſome of the public offices at Rome.

While the event of the Macedonian war was yet undecided, and no conſiderable advantage, either of conduct or fortune, appeared on the ſide of the Romans, they ſtill preſerved the uſual arrogance of their manner, and interpoſed with the ſame imperious aſcendant in the affairs of Greece, Aſia, and Africa, that they could have done in conſequence of the moſt deciſive victory. It was at this time that, by the celebrated meſſage of Popilius Lænas, they put a ſtop to the conqueſts of Antiochus Epiphanes in Egypt. This prince, truſting to the full employment with which the Roman forces were engaged, had ventured to invade this kingdom, and was in poſſeſſion of every part of it, except the city of Alexandria. He was occupied in the ſiege of this place when Popilius arrived and delivered him an order of the Senate to deſiſt. The king made anſwer, That he would conſider of it. "Determine before you paſs this "line," ſaid the Roman, tracing a circle with the rod which he held in his hand. This people, however, had occaſion, during the dependance of the Macedonian war, to obſerve that few of their allies were willing to ſupport them in the extremes to which they ſeemed to be inclined. The Epirots had actually declared for the king of Macedonia. The Rhodians had offered their mediation to negotiate a peace, and threatened hoſtility againſt either of the parties who ſhould refuſe to accept of it. Even Eumenes was ſuſpected of having entered into a ſecret concert with Perſeus, although the fall of that prince prevented any open effects of their treaty.

The Romans, nevertheleſs, diſguiſed their reſentment of theſe ſeveral provocations, until their principal enemy, the king of Macedonia, was ſubdued; after they had accompliſhed this end, they proceeded

BOOK I. proceeded againſt every other party, with a ſeverity which was then ſuppoſed to be permitted in the law of nations, and no more than proportioned to their ſuppoſed offence. They gave orders to Emilius, in paſſing through Epirus, to lay that country under military execution. Seventy towns were accordingly deſtroyed, and an hundred and fifty thouſand of the people ſold for ſlaves.

The Senate refuſed to admit the ambaſſadors of Rhodes, who came to congratulate the Roman people on their victory at Pydna. They ſtripped thoſe iſlanders of the provinces which had been granted to them on the continent by the late treaty with Antiochus, and ordered them to diſcontinue ſome duties levied from ſhips in paſſing through their ſound, which made a conſiderable part of their revenue.

While Eumenes was coming in perſon to pay his court to the Senate, they reſolved to forbid the concourſe of kings to Rome. Their meaning, though expreſſed in general terms, was evidently levelled at this prince; and they ordered, that when he ſhould arrive at Brunduſium, their reſolution ſhould be intimated to him, to prevent his nearer approach.

They in reality, from this time forward, though in the ſtyle of allies, treated the Grecian republics as ſubjects.

Such was the rank which the Romans aſſumed among nations; while their ſtateſmen ſtill retained much of their primeval ruſticity, and did not conſider the diſtinctions of fortune and equipage as the appurtenances of power or of high command. Cato, though a citizen of the higheſt rank, and veſted ſucceſſively with the dignities of Conſul and of Cenſor, uſed to partake in the labour of his own ſlaves, and to feed with them from the ſame diſh at their meals (*r*). When he commanded the armies

(*r*) Plutarch in Vit. Catonis, p. 330.

of

of the republic, the daily allowance of his household was no more than three medimni, or about as many bushels of wheat for his family, and half a medimnus, or half a bushel of barley for his horses. In surveying his province he usually travelled on foot, attended by a single slave who carried his baggage *(s)*.

These particulars are mentioned perhaps as peculiar to Cato; but such singularities in the manners of a person placed so high among the people, carry some general intimation of the fashion of the times.

A spirit of equality yet reigned among the members of the commonwealth, which rejected the distinctions of fortune, and checked the admiration of private wealth. In all military donations the Centurion had no more than double the allowance of a private soldier, and no military rank was indelible. The Consul and commander in chief of one year served not only in the ranks, but even as a Tribune or inferior officer in the next; and the same person who had displayed the genius and ability of the general, still valued himself on the courage and address of a legionary soldier.

No one was raised above the glory to be reaped from the exertion of mere personal courage and bodily strength. Persons of the highest condition sent or accepted a defiance to fight in single combat, in presence of the armies to which they belonged. Marcus Servilius, a person of consular rank, in order to enhance the authority with which he spoke when he pleaded for the triumph of Paulus Emilius, informed the People that he himself, full three and twenty times, had fought singly with so many champions of the enemy, and that in each of these encounters he had slain and stripped his

(*s*) Plut. in Vit. Catonis, p. 335 & 338.

BOOK I. antagoniſt. A combat of the ſame kind was afterwards fought by the younger Scipio, when ſerving in Spain.

The ſumptuary laws of this age were ſuited to the idea of citizens who were determined to contribute their utmoſt to the grandeur of the State; but to forego the means of luxury or perſonal diſtinction. Roman ladies were reſtrained, except in religious proceſſions, from the uſe of carriages any where within the city, or at the diſtance of leſs than a mile from its walls; and yet the ſpace over which they were to preſerve their communications extended to a circuit of fourteen miles, and began to be ſo much crowded with buildings or cottages, that, even before the reduction of Macedonia, it was become neceſſary to reſtrain private perſons from encroaching on the ſtreets, ſquares, and other ſpaces reſerved for public conveniency. In a place of this magnitude, and ſo ſtocked with inhabitants, the female ſex was alſo forbid the uſe of variegated or party-coloured clothes, or of more than half an ounce of gold in the ornament of their perſons. This law being repealed, contrary to the ſentiments of Cato, this citizen, when he came, in the capacity of Cenſor, to take account of the equipages, clothes, and jewels of the women, taxed each of them tenfold for whatever was found in her wardrobe exceeding the value of one thouſand five hundred denarii, or about fifty pounds ſterling *(t)*.

The attention of the legiſlature was carried into the detail of entertainments or feaſts. In one act the number of the gueſts, and in a ſubſequent one the expence of their meals, were limited. By the Lex Tribonia, enacted about twenty years after the reduction of Macedonia, a citizen was allowed on certain high feſtivals, to expend three hundred

(t) Liv. lib. xxxiv. c. 1—6.

aſſes,

asses, or about twenty shillings sterling; on other festivals of less note, one hundred asses, or about six shillings and eight pence; but during the remainder of the year, no more than ten asses, or about eight pence; and was not allowed to serve up more than one fowl, and this with a proviso that it should not be crammed or fatted *(u)*.

Superstition made a principal article in the character of the people. It subjected them continually to be occupied or alarmed with prodigies and ominous appearances, of which they endeavoured to avert the effects by rites and expiations, as strange and irrational as the presages on which they had grounded their fears. Great part of their time was accordingly taken up with processions and public shews, and much of their substance, even to the whole annual produce of their herds *(w)*, was occasionally expended in sacrifices, or in the performance of public vows. The first officers of State, in their functions of the priesthood, performed the part of the cook and the butcher; and, while the Senate was deliberating on questions of great moment, examined the entrails of a victim, in order to know what the gods had determined. "You must desist," said the Consul Cornelius, entering the Senate with a countenance pale and marked with astonishment; "I myself have visited "the boiler, and the head of the liver is con-"sumed *(x)*."

According to the opinions entertained in those times, sorcery was a principal expedient employed by those who had secret designs on the life of their neighbour. It was supposed to make a part in the statutory crime of poisoning; and the same imagination which admitted the charge of sorcery as

(*u*) Plin. lib. x. c. 50.

(*w*) The Ver Sacrum was a general sacrifice of all the young of their herds for a whole year.

(*x*) Liv. lib. xli. c. 15.

 credible,

BOOK I. credible, was, in particular inſtances, when any perſon was accuſed, eaſily convinced of his guilt; inſomuch that ſome thouſands were at times convicted together of this imaginary crime *(y)*.

The manners of the people of Italy were at times ſubject to ſtrange diſorders, or the magiſtrate gave credit to wild and improbable reports. The ſtory of the Bachanals, dated in the year of Rome five hundred and ſixty-ſix, or about twenty years before the conqueſt of Macedonia, may be conſidered as an inſtance of one or the other (z). A ſociety, under the name of Bachanals, had been inſtituted, on the ſuggeſtion of a Greek pretender to divination. The deſire of being admitted into this ſociety prevailed throughout Italy, and the ſect became extremely numerous. As they commonly met in the night, they were ſaid at certain hours to extinguiſh their lights, and to indulge themſelves in every practice of horror, rape, inceſt, and murder; crimes under which no ſect or fraternity could poſſibly ſubſiſt, but which, in being imputed to numbers in this credulous age, gave occaſion to a ſevere inquiſition, and proved fatal to many perſons at Rome, and throughout Italy.

The extreme ſuperſtition, however, of thoſe times, in ſome of its effects, vied with genuine religion; and, by the regard it inſpired, more eſpecially for the obligation of oaths, became a principle of public order and of public duty, and in many inſtances ſuperſeded the uſe of penal or compulſory laws.

When the citizen ſwore that he would obey the call of the magiſtrate to enliſt in the legions; when the ſoldier ſwore that he would not deſert his colours, diſobey his commander, or fly from his enemy; when a citizen, at the call of the Cenſor, reported on oath the amount of his effects; the State,

(y) Liv. lib. xxxix. c. 41. (z) Ibid. c. 8. & ſequen. (*a*) Veniſicium.

in

in all those instances, with perfect confidence relied on the good faith of her subjects, and was not deceived. CHAP. VII.

In the period to which these observations refer, that is, in the sixth century of the Roman State, the first dawning of literature began to appear. It has been mentioned that a custom prevailed among the primitive Romans, as among other rude nations, at their feasts to sing or rehearse heroic ballads which recorded their own deeds or those of their ancestors (*b*). This practice had been some time discontinued, and the compositions themselves were lost. They were succeeded by pretended monuments of history equally fallacious, the orations which, having been pronounced at funerals, were, like titles of honour, preserved in the archives of every noble house, but which were rather calculated to flatter the vanity of families, than to record the truth (*c*).

The Romans owed the earliest compilations of their history to Greeks; and in their own first attempts to relate their story employed the language of that people (*d*). Nævius and Ennius, who were the first that wrote in the Latin tongue, composed their relations in verse. Livius Andronicus, and afterwards Plautus and Terence, translated the Greek fable, and exhibited in the streets of Rome, not the Roman, but Grecian manners. The two last are said to have been persons of mean condition; the one to have subsisted by turning a baker's mill, the other to have been a captive and a slave. Both of them had probably possessed the Greek tongue as a vulgar dialect, which was yet spoken in many parts of Italy, and from this circumstance, became acquainted with the elegant compositions of

(*b*) Cic. de Claris Oratoribus, c. 19. (*c*) Ibid. p. 394.
(*d*) Dion. Hal. lib. i. p. 5.

Philemon

BOOK I. Philemon and Menander (*e*). Their comedies were acted in the streets, without any seats or benches for the reception of an audience. But a nation so little studious of ordinary conveniencies, and contented to borrow their literary models from neighbours, to whom, being mere imitators, they continued for ages inferior, were, however, in their political and military character, superior to all other
U. C. 586. nations whatever; and, at this date, had extended a dominion, which originally consisted of a poor village on the Tiber, to more empire and territory than is now enjoyed by any kingdom or state of Europe.

(*e*) The people of Cumæ, about this time, applied for leave to have their public acts, for the time, expressed in Latin.

THE HISTORY OF THE PROGRESS AND TERMINATION OF THE ROMAN REPUBLIC.

BOOK II.

CHAP. I.

State, Manners, and Policy of the Times.—Repeated Complaints from Carthage.—Hostile Disposition of the Romans.—Resolution to remove Carthage from the Coast.—Measures taken for this Purpose.—Carthage besieged.—Taken and destroyed.—Revolt of the Macedonians.—Their Kingdom reduced to the Form of a Roman Province.—Fate of the Achæan League.—Operations in Spain.—Conduct of Viriathus.—State of Numantia.—Blockade of Numantia.—Its destruction.—Revolt of the Slaves in Sicily.—Legal Establishments and Manners of the City.

CHAP. I.

THE reduction of Macedonia was in many respects a remarkable æra in the history of Rome. Before this date Roman citizens had been treated as subjects, and permitted themselves to be taxed. They were required at every census to make

make a return of their effects upon oath, and, beſides other ſtated or occaſional contributions to the public, paid a certain rate on the whole value of their property. But upon this event they aſſumed more entirely the character of ſovereigns; and, having a treaſury repleniſhed with the ſpoils of that kingdom, exempted themſelves from their former burdens.

The acceſſion of wealth, ſaid to have put them in this condition, is variouſly reported. Livy quotes Valerius Antias as ſtating it at *millies ducenties*, or about a million ſterling; Velleius Paterculus ſtates it at double this ſum, and Pliny at ſomewhat more (*a*). But the higheſt of theſe computations ſcarcely appears adequate to the effect ſuppoſed. It is more likely that the ordinary income of the treaſury, conſiſting of the ſums ſo frequently depoſited at the triumphs of victorious leaders, the tributes received from Carthage and Syria, the rents of Campania, the tithes of Sicily and Sardinia, with the addition of the revenue recently conſtituted in Macedonia, put the Romans at laſt in condition to exempt themſelves from taxation; an effect which no periſhing capital placed at once in their coffers could be ſuppoſed to produce. The Roman treaſury, when examined about ten years after this date, was found to contain, in bars of gold and ſilver, and in coin, not much more than half a million ſterling (*b*): a ſum which, without a proper and regular ſupply, muſt have been ſoon exhauſted.

From the concluſion of the war with Perſeus, the Romans, for twenty years, do not ſeem to have been engaged with any conſiderable enemy; and their numerous colonies, now diſperſed over Italy, from Aquileia to Rhegium, probably made great

(*a*) Velleius, lib. i. c. 9. Plin. lib. xxxiii. c. 3.
(*b*) Plin. lib. xxxiii. c. 3. In gold 16,810 Æ. in ſilver 22,070 Æ. and in coin 620,854,000 H. S. Arbuthnot of Ancient Coins.

advances,

advances, during this period, in agriculture, commerce, and the other arts of peace. Among their public works are mentioned, not only temples and fortifications, particulars in which men attain to magnificence even in rude ages, but likewise aqueducts, market-places, pavements, high-ways, and other conveniencies, the preludes or attendants of wealth and commerce.

Cato, in pleading against the repeated election of the same person into the office of Consul, exclaimed against the luxury of the times, and alleged, that so many citizens could not support their extravagance by any other means than that of draining the provinces by virtue of their repeated appointments to command. "Observe," he said, "their villas how curiously built, how richly furnished with ivory and precious wood. Their very floors are coloured or stained in the Punic fashion (*c*)."

Lex Annalis.

The Romans had formerly made laws to fix the age at which citizens might be chosen into the different offices of State (*d*). And on the occasion on which Cato made this speech, they excluded the same person from being repeatedly chosen. They likewise made those additions to former sumptuary laws which have been already mentioned. The Census, or enrolment of the People, began to be made with more care than formerly: even the Latin allies, though migrating to Rome, were excluded from the rolls (*e*); and the people generally mustered from three to four hundred thousand men.

While the Romans had no war to maintain with the more regular and formidable rivals of their

(*c*) Vid. Pompeium Festum.

(*d*) It appears that, by this law, being Questors at thirty-one, they might rise to the consulate at forty-three.

(*e*) Plutarch, in the life of Flamininus, mentions a law by which the Censors were obliged to enrol every freeman that offered. The Latins complained, that their towns were depopulated by emigrations to Rome. Liv. lib. xli. c. 8.

power,

BOOK II. power, they ſtill employed their legions on the frontier of their provinces in Spain, Dalmatia, Liguria, and on the deſcents of the Alps. They opened, for the firſt time, an intercourſe with the Tranſalpine nations, in a treaty of alliance with the republic of Marſeilles; in conſequence of which, they protected that mercantile ſettlement from the attacks of fierce tribes, who infeſted them from the maritime extremities of the Alps and Appenines. They were in general the umpires in the differences of nations, gave audience in all their complaints, interpoſed with their forces as well as authority, and diſpoſed of provinces and kingdoms at their pleaſure. They kept a vigilant eye on the conduct and policy of all the different powers with whom they were at any time likely to be embroiled, and generally conducted their tranſactions with independent nations as they adjuſted the firſt ſettlement of their own acquiſitions, by commiſſion and deputations ſent from the Senate to decide, with the leaſt poſſible delay, on ſuch matters as might ariſe in the place to which their deliberations referred.

The number of commiſſioners employed in theſe ſervices, for the moſt part, was ten. Theſe took informations, formed plans, and made their reports for the final deciſion of the Senate, and, by the frequency of theſe appointments, it appears that the members of the Senate, in rotation, had an opportunity of becoming acquainted with that world which they were deſtined to govern.

The Senate itſelf, though, from its numbers and the emulation of its members, likely to embarraſs affairs by debate, delay, and the raſh publication of all its deſigns, in reality poſſeſſed all the advantages of deciſion, ſecrecy, and diſpatch, that could be obtained in the moſt ſelect executive council. This numerous aſſembly of Roman ſtateſmen appear to have maintained, during a long period, one

ſeries,

ſeries of conſiſtent and uniform deſign; and kept their intentions ſo ſecret, that their reſolutions, for the moſt part, were known only by the execution. The king of Pergamus made a journey to Rome, in order to excite the Romans to a war with his rival, the king of Macedonia. He preferred his complaints in the Senate, and prevailed on this body to reſolve on the war; but no part of the tranſaction was public, till after the king of Macedonia was a priſoner at Rome (*f*). CHAP. I.

During the preſent reſpite from any conſiderable war, the Romans balanced the kingdoms of Pergamus, Bithynia, and Cappadocia, againſt each other, in ſuch a manner as to be able, at pleaſure, to oppreſs any of thoſe powers that ſhould become refractory or formidable to their intereſt.

They made the kingdom of Syria devolve on a minor, the ſon of Antiochus; and, under the pretence of this minority, ſent a commiſſion to take charge of the kingdom. But their commiſſioners were, with the connivance of the court, aſſaulted in a riot at Antioch; ſome of them were killed, and others forced to fly from the country.

Demetrius, the ſon of Seleucus, who ought to have ſucceeded to his father in the monarchy of Syria, being, at the death of that prince, an hoſtage at Rome, had been ſupplanted by his younger brother, the father of that minor prince who was now acknowledged by the Romans.

Upon the inſult that had been thus offered to the Roman commiſſion at Antioch, Demetrius thought it a favourable opportunity to urge his claim, and to prevail on the Senate to reſtore him to the ſucceſſion of his father's crown: but theſe crafty uſurpers, notwithſtanding the offence they had received from thoſe who were in poſſeſſion of the monarchy, preferred the advantages which

(*f*) Valer. Maxim. lib. ii. c. 2.

they

BOOK II. they had over a minor king, to the precarious affection or gratitude of an active spirited prince, educated at Rome, and taught by their own example to know his interest; and they accordingly denied his request.

Demetrius, however, made his escape from Rome, and, by the death of the minor and his tutor, got unrivalled possession of the kingdom of Syria. To pay his court to the Romans, as one of the first acts of his reign, he sent the murderer of their late commissioner, Octavius, in chains, to be punished at their discretion. But the Senate disdained to wreck their public wrongs on a private criminal; or, having cause of complaint against the nation itself, were not to be satisfied with the punishment of a single person. They suffered the prisoner, as beneath their attention, to depart.

As patrons of the kingdom of Egypt, they promoted the division of that country between the two brothers, who were then joined in the sovereignty, and rivals for the sole possession of the throne *(g)*.

During the dependence of these transactions, the Senate had repeated complaints from Africa, which ended in a war that proved fatal at last to the antient rivals of their power. In the conduct of this war, being now less dependent than formerly on the opinion of the world, they, contrary to their usual pretensions to national generosity and liberality, sacrificed, without reserve, entire nations to the ambition, or to the meanest jealousy, of their own republic *(h)*.

The province of Emporiæ, a district lying on the coast, and the richest part of the Carthaginian territory, had been violently seized by Gala king of Numidia, and father of Massinissa. It had been

(g) Polyb. Excerptæ Legationes. *(h)* Ibid. No. 142.

again

again restored by Syphax, when he supplanted the family of Gala on the throne of that kingdom; but now again usurped by Massinissa on recovering the crown by the power of the Romans, to whose favour he trusted; and the Carthaginians, precluded by the late treaty from making war on any ally of the Romans, had recourse to complaints and representations, which they made at Rome, both before and after the reduction of Macedonia. The Roman Senate had, for five and twenty years, eluded these complaints, and, during this time, was in the practice of sending commissioners into Africa, under pretence of hearing the parties in this important dispute, but with instructions or dispositions to favour Massinissa, and to observe, with a jealous eye, the condition and the movements of their antient rival *(i)*.

The Carthaginians, yet possessed of ample resources, and, if wealth or magnificence could constitute strength, still a powerful nation; being weary of repeated applications, to which they could obtain no satisfying answer, took their resolution to arm, and to assert by force their claim to the territory in question.

They were met in the field by the army of Massinissa, commanded by himself, though now about ninety years of age, and were defeated *(k)*.

This unfortunate event disappointed their hopes, and exposed them to the resentment of the Romans, who considered the attempt they had made to do themselves justice, as a contravention of the late treaty, and a departure from the articles of peace between the two nations.

The expediency of a war with Carthage had been for some time a subject of debate in the Roman Senate. Deputies had been sent into Africa,

(i) Polyb. Excerptæ Legationes, c. 118. Liv. lib. xl. c. 17.
(k) Liv. Epitome, lib. xlviii. Appian de Bell. Punic, p. 38.

BOOK II. to procure the information that was necessary to determine this question. Among these Cato, being struck with the greatness, wealth, and populousness of that republic, and with the amazing fertility of its territory, when he made his report in the Senate, carried in his lap a parcel of figs which he had brought from thence. "These," he said, "are the produce of a land that is but three days "sail from Rome. Judge what Italy may have to "fear from a country whose produce is so much "superior to its own. That country is now in "arms; the sword is drawn against Massinissa; "but when thrust in his side, will penetrate to "you. Your boasted victories have not subdued "the Carthaginians, but given them experience, "taught them caution, and instructed them how "to disguise, under the semblance of peace, a "war which you will find marshalled against you "in their docks and in their arsenals." This, and every other speech on this subject, Cato concluded with his famous saying; "That Carthage should "be destroyed (*l*)."

Scipio Nasica, another speaker in this debate, contended for peace. He represented the forces of Carthage as not sufficient to alarm the Romans; or, if really greater than there was any reason to suppose them, no more than were requisite to exercise the virtues of a people already, for want of proper exertion, begun to suffer some abatement in their vigilance, discipline, and valour.

In this diversity of opinions, it appeared soon after, that the Senate took a middle course, resolved not to destroy, but to remove the inhabitants of Carthage to a new situation, at least ten miles from the sea (*m*).

(*l*) Delenda est Carthago.

(*m*) Appian in Punicis. Plutarch in Vit. Catonis. Zonaras, lib. ix. c. 26. Oros. lib. iv. c. 22. Velleius, lib. i. c. 12. Polyb. Excerptæ Legationes, No. 142.

The

CHAP. I.

The Carthaginians, after their late unfortunate adventure with Massinissa, were willing to preserve their effects, and to purchase tranquillity by the lowest concessions. But as the measure now proposed by the Roman Senate, amounted to a deprivation of all that property which is vested in houses or public edifices, and an entire suppression of all those local means of subsistence which could not be easily transferred, it was not supposed that their consent could be easily obtained, and it was accordingly resolved to keep the design a secret, until effectual means were prepared for its execution.

The consuls, without any declaration of war, were instructed to arm, and to pass with their forces into Sicily. As their arrival on that island, which was then in a state of profound peace, evidently implied a design upon Africa, the people of Utica, that they might have the merit of an early declaration in favour of the Romans, sent a deputation to make them a tender of their port and town, as a harbour and place of arms for the accommodation of their forces. The Carthaginians were distracted with opposite counsels. They laid the blame of the war with Massinissa on Hasdrubal and his abettors, whom they ordered into exile; but, without coming to any other resolutions, sent a deputation, with full powers to conclude as circumstances might seem to require, and agree to whatever they should find most expedient for the commonwealth. These deputies, on their arrival at Rome, finding no disposition in the Senate to treat with them upon equal terms, resolved to arrest, by the most implicit submission, the sword that was lifted up against their country. They accordingly confessed the imprudence of their late conduct, and implored forgiveness. They quoted the sentence of banishment passed upon Hasdrubal and his party, as an evidence of their contrition for the

BOOK II. the hoſtilities lately offered to Maſſiniſſa; and they made a formal ſurrender of their city and its territory to be diſpoſed of at the pleaſure of the Romans.

In return to this act of ſubmiſſion, they were told, that the Romans approved their behaviour, and meant to leave them in poſſeſſion of their freedom, their laws, their territory, and of all their effects, whether private or public: but, as a pledge of their compliance with the meaſures that might be neceſſary to prevent the return of former diſputes, they demanded three hundred hoſtages, the children of Senators, and of the firſt families in Carthage. This demand being reported in the city gave a general alarm; but the authors of theſe counſels were too far advanced to recede. They tore from the arms of their parents the children of the firſt families in the commonwealth; and, amidſt the cries of affliction and deſpair, embarked thoſe hoſtages for Sicily. Upon this iſland they were delivered over to the Roman Conſuls, and were by them ſent forward to Rome.

The commanders of the Roman armament, without explaining themſelves any further, continued their voyage, and, by their appearance on the coaſt of Africa, gave a freſh alarm at Carthage. Deputies from the unfortunate inhabitants of that place went to receive them at Utica, and were told, that they muſt deliver up all their arms, ſhips, engines of war, naval and military ſtores. Even theſe alarming commands they received as the ſtrokes of fate, which could not be avoided: "We do not mean," ſaid one of the deputies, "to diſpute your commands; but we entreat you "to conſider, to what a helpleſs ſtate you are "about to reduce an unfortunate people, who, "by this hard condition, will be rendered un-"able to preſerve peace among their own citizens "at home, or to defend themſelves againſt the

"meaneſt

" meaneſt invader from abroad. We have baniſhed Haſdrubal in order to receive you: we have declared him an enemy to his country, that you might be our friends: but when we are diſarmed, who can prevent this exile from returning to occupy the city of Carthage againſt you? With twenty thouſand men that follow him, if he comes into the direction of our government, he will ſoon oblige us to make war on you (n). In anſwer to this piteous expoſtulation, the Roman generals undertook the protection of Carthage, and ordered commiſſaries to receive the ſeveral articles that were to be delivered up, and to ſee the arſenals and the docks deſtroyed.

It is reported, that there were delivered up to theſe commiſſaries forty thouſand ſuits of armour, twenty thouſand katapultæ, or large engines of war, with a plentiful ſtore of darts, arrows, and other miſſiles.

So far the Romans proceeded with caution, well knowing the veneration which mankind entertain for the ſeats and tombs of their anceſtors, with the ſhrines and conſecrated temples of their gods; and dreading the effects of deſpair, as ſoon as the Carthaginians ſhould perceive how much they were to be affected in their private and public property. But now, thinking their object ſecure, they proceeded to declare their intentions. The Conſul called the Carthaginian deputies into his preſence, and beginning with an exhortation, that they ſhould bear with equanimity what the neceſſity of their fortune impoſed, intimated, as the definitive reſolution of the Roman Senate, that the people of Carthage ſhould relinquiſh their preſent ſituation, and build on any other part of their territory, not leſs than eighty ſtadia, or about ten miles, removed from the ſea. The amazement and ſorrow

(n) Polyb. Excerpt. Legat c. 142.

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with which these orders were received, justified the precautions which the Romans had taken to secure the execution of them. The deputies threw themselves upon the ground, and endeavoured, from motives of pity, or of reason, to obtain a revocation of this cruel and arbitrary decree. They pleaded the merit of their implicit submission, their weakness, their inability any longer to alarm the jealousy of Rome, circumvented, disarmed, bound to their duty by hostages the most precious blood of their commonwealth. They pleaded the faith which was plighted by the Romans, the hopes of protection they had given, and the reputation they had justly acquired, not only for national justice, but for clemency and generosity to all who sued for mercy. They pleaded the respect which all nations owed to the shrines and the consecrated temples of their gods; the deplorable state into which numbers of their people must be reduced, expelled from their habitations and immoveable possessions, the principal articles of their property, and the hopeless condition of others, who, inured to subsist by the advantages of a maritime situation, were entirely disqualified to support themselves or their children at a distance from the sea.

The Roman Consul replied by repeating the express orders of the Senate, and bid the Carthaginians remember, that the states were composed of men, not of ramparts and walls. That the Roman Senate had promised to spare and protect the republic of Carthage; and that they had fulfilled this engagement by leaving the people in possession of their freedom and their laws. That the sacred places should remain untouched, and that the shrines of the gods would still be within the reach of their pious visits. That the distance to which it was proposed to remove Carthage from the sea was not so great as the distance at which Rome herself was situated from it; and that the

the Romans had taken their resolution, that the people of Carthage should no longer have under their immediate view that element which opened a way to their ambition, had tempted them first into Sicily, afterwards into Spain, and last of all into Italy, and to the gates of Rome; and which would never cease to suggest projects dangerous to themselves, and inconsistent with the peace of mankind. "We go then," said the deputies of Carthage, "to certain death, which we have merited by "having persuaded our fellow-citizens to resign "themselves into the hands of the Romans. But if "you mean to have your commands obeyed, you "must be ready to enforce them; and by this "means you may save an unfortunate people from "exposing themselves, by any act of despair, to "worse sufferings than they have yet endured."

The deputies accordingly, being followed at a distance by twenty galleys of the Roman fleet, set sail for Carthage. They were received on the shore by multitudes, who crowded to hear the result of their negociations; but the silence they preserved under pretence that it was necessary to make their report first to the Senate, spread a general dismay. In the Senate their message was received with cries of despair, which soon conveyed to the people in the streets a knowledge of the conditions imposed upon them. And this nation, who, about forty years before, had consented to betray their principal citizen into the hands of their enemy, and who had lately resigned all the honours and pretensions of a free state, now kindled into rage at the thoughts of being obliged to forego so great a part of their wealth, and to remove their habitations. They burst into the place where the Senate was assembled, and laid violent hands on all the members who had advised or borne any part in the late degrading submissions, or who had contributed to bring the state into its present help-

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BOOK II.

leſs condition. They took vengeance, as is common with a corrupted populace, on others, for faults in which they themſelves had freely concurred; and, as awake to new ſentiments of honour, they reviled the ſpirit of their own commonwealth, ever ready to barter national character for profit, to purchaſe ſafety with ſhameful conceſſions, and to remove a preſent danger, by giving up what is the only ſecurity of nations againſt any danger, the reputation of their vigour, and the honour of their arms.

While the multitude indulged themſelves in every ſpecies of riot, a few had the precaution to ſhut the gates, to ſtretch the chain which protected the entrance of the harbour, and to make a collection of ſtones on the battlements, theſe being the only weapons they had left to repel the firſt attacks of the Romans. The remains of the Senate too, without reflecting on the deſperate ſtate of their affairs, reſolved on war. Deſpair and frenzy ſucceeded in every breaſt to dejection and meanneſs.

Aſſemblies were called to reverſe the ſentence of baniſhment lately pronounced againſt Haſdrubal, and againſt the troops under his command. Theſe exiles were entreated to haſten their return for the defence of a city bereft of arms, ſhips, military and naval ſtores. The people, in the mean time, with an ardor which reaſon, and the hopes of ſucceſs during the proſperity of the republic could not have inſpired, endeavoured to replace the arms and the ſtores which they had ſo ſhamefully ſurrendered. They demoliſhed their houſes to ſupply the docks with timber. They opened the temples and other public buildings to accommodate the workmen; and, without diſtinction of ſex, condition, or age, became labourers in the public works, collected materials, furniſhed proviſions, or bore a part in any labour that was thought

thought necessary to put the city in a state of defence. They supplied the founders and the armourers with the brass and iron of their domestic utensils; or, where these metals were deficient, brought what they could furnish of silver and gold. They joined, with the other materials which were used in the roperies, their hair to be spun into cordage for the shipping, and into braces for their engines of war.

The Roman Consuls, apprised of what was in agitation, willing to await the returns of reason, and to let these first ebullitions of frenzy subside, for some days made no attempts on the city. But hearing of the approach of Hasdrubal, they thought it necessary to endeavour, before his arrival, to possess themselves of the gates. Having in vain attempted to scale the walls, they were obliged to undergo the labours of a regular siege; and though they made a breach, were repulsed in attempting to force the city by storm.

Hasdrubal had taken post on the creek which separated the peninsula of Carthage from the continent, maintained his communication by water, and supplied the inhabitants with provisions and arms. The Romans, seeing that they could not reduce the city while Hasdrubal retained this post, endeavoured to dislodge him, but were defeated, and obliged to raise the siege. They had already spent two years in this enterprize, changed their commanders twice, but without advancing their fortunes. They began to incur the discredit of having formed against a neighbouring commonwealth an invidious design which they could not accomplish. Enemies in every quarter, Greece, Macedonia, and Spain, were encouraged to declare against them; and even Massinissa, unwilling to see their power substituted for that of Carthage, and jealous of the avidity with which they endeavoured to become masters in Africa, and to snatch from

BOOK II. from his hands a prey in which he thought himſelf intitled to ſhare, withdrew his forces, and left them ſingly to contend with the difficulties in which they began to be involved.

But the Romans were animated by thoſe mortifications which are apt to diſcourage other nations. They imputed the miſcarriage of their troops to the miſconduct of their generals; and they clamoured for a better choice. Scipio, by birth the ſon of Emilius Paullus, and by adoption the grandſon of Scipio Africanus, having diſtinguiſhed himſelf in Spain and in Africa, and being then arrived from the army to ſolicit the office of Edile, was thought worthy of the ſupreme command; but being about ten years under the legal age, the law was ſuſpended in his favour, and his appointment to the province of Africa, in preference to his colleague, was declared without the uſual method of caſting lots.

The Carthaginians were now reinſtated in their conſideration, and in their rank among nations, and had negociations with the neighbouring powers of Mauritania and Numidia, whoſe aid they ſolicited with alarming reflections on the boundleſs ambition, and invidious policy of the Romans. They even conveyed aſſurances of ſupport to the Achæans, to the pretended Philip, an impoſtor, who, about this time, laid claim to the throne of Macedonia; and they encouraged with hopes of aſſiſtance the ſubjects of that kingdom, who were at this time in arms to recover the independence of their monarchy.

The mere change of the commander, and better diſcipline in the Roman army, however, ſoon altered the ſtate and proſpects of the war. The firſt object of Scipio was to cut off the communications of the Carthaginians with the country, and to intercept their ſupply of proviſions and other articles neceſſary to withſtand a ſiege.

Carthage

Carthage was ſituated at the bottom of a ſpacious bay, covered on the weſt by the promontory of Apollo, on the eaſt, by that of Hermes or Mercury, at the diſtance of about fifteen leagues from each other. The city ſtood on a peninſula joined to the main land by an iſthmus about three miles in breadth, and covering a baſon or harbour, in which their docks and their ſhipping were ſecured from ſtorms and hoſtile attacks. The Byrſa, or citadel, commanded the iſthmus, and preſented, at this only entrance to the town by land, a wall thirty feet thick and ſixty feet high. The whole circumference of the place was above twenty miles *(o)*.

The beſiegers, by their ſhipping, had acceſs to that ſide of the town on which the walls were waſhed by the ſea; but were ſhut out from the harbour by a chain which was ſtretched acroſs the entrance. Haſdrubal had taken poſt on the baſon over againſt the town, and by theſe means ſtill preſerved the communication of the city with the country. Scipio, to diſlodge him from this poſt, made a feint at a diſtant part of the fortifications to ſcale the walls, actually gained the battlements, and gave an alarm which obliged the Carthaginian general to throw himſelf into the city. Scipio, ſatisfied with having obtained this end, took poſſeſſion of the poſt which the other had abandoned; and being now maſter of the iſthmus, and the whole continental ſide of the harbour, advanced to the walls of the Byrſa. In his camp he covered himſelf as uſual with double lines; one facing the fortifications of the enemy, conſiſting of a curtain twelve feet high, with towers at proper intervals, of which one in the centre was high enough to overlook the ramparts, and to afford a view of the enemy's works. The other line ſecured his rear from ſur-

(o) Oroſius, lib. iv. c. 22. Liv. Epitome, lib. li.

prize

BOOK II. prize on the ſide of the country; and both effectually guarded the iſthmus, and obſtructed all acceſs to the town by land.

The beſieged, however, ſtill received ſome ſupply of proviſions by ſea; their victuallers took the benefit of every wind that blew freſh and right into the harbour, to paſs through the enemy's fleet, who durſt not unmoor to purſue them; and Scipio, to cut off this reſource, projected a mole from the main land to the point of the peninſula acroſs the entrance of the harbour. He began to throw in his materials on a foundation of ninety feet, with an intention to contract the mound as it roſe to twenty-four feet at the top. The work, when firſt obſerved from Carthage, was conſidered as a vain undertaking; but when it appeared to advance with a ſenſible progreſs, gave a ſerious alarm.

The Carthaginians, to provide againſt the evils which they began to foreſee from this obſtruction at the entrance of their harbour, undertook a work more difficult, and more vaſt than even that of the beſiegers, to cut acroſs the peninſula within their walls, and to open a new paſſage to the ſea; and this they had actually accompliſhed by the time that the other paſſage was ſhut. Notwithſtanding the late ſurrender of all their ſhipping and ſtores, they had at the ſame time, by incredible efforts, aſſembled or conſtructed a navy of ſixty gallies. With this force they were ready to appear in the bay, while the Roman ſhips lay unmanned and unrigged, ſecure againſt any danger from an enemy whom they ſuppoſed ſhut up by impenetrable bars; and in theſe circumſtances, if they had availed themſelves of the ſurprize with which they might have attacked their enemy, muſt have done great execution on the Roman fleet. But having ſpent no leſs than two days in clearing their new paſſage after it was known to be open, and in preparing for action, they gave the enemy likewiſe full time

to

to prepare. On the third they engaged, fought the whole day without gaining any advantage; and, in their retreat at night, ſuffered greatly from the enemy, who preſſed on their rear.

While the beſiegers endeavoured to obſtruct this new communication with the ſea, the beſieged made a deſperate attempt on their works by land. A numerous body of men, devoting their lives for the defence of their country, without any arms, and provided only with matches, croſſed the harbour, and, expoſing themſelves to certain death, ſet fire to the engines and towers of the beſiegers; and, while they were ſurrounded and put to the ſword, willingly periſhed in the execution of their purpoſe.

In ſuch operations the ſummer elapſed; and Scipio, with the loſs of his engines, and a renewal of all the difficulties which he had formerly to encounter at ſea, contenting himſelf with a blockade for the winter, diſcontinued the ſiege.

His command being prolonged for another year, he reſumed his attack in the ſpring; and, finding the place greatly reduced by deſpair and famine, he forced his way by one of the docks, where he obſerved that the battlements were low and unguarded. His arrival in the ſtreets did not put him in poſſeſſion of the town. The inhabitants, during ſix days, diſputed every houſe and every paſſage, and ſucceſſively ſet fire to the buildings whenever they were obliged to abandon them. Above fifty thouſand perſons of different ſexes, who had taken refuge in the citadel, at laſt accepted of quarter, and were led captive from thence in two ſeparate diviſions, one of twenty-five thouſand women, and another of thirty thouſand men.

Nine hundred deſerters, who had left the Roman army during the ſiege, having been refuſed the quarter which was granted to the others, took poſt in a temple which ſtood on an eminence, with a reſolu-

BOOK II. a resolution to die with swords in their hands, and with the greatest effusion of blood to their enemies. To these Hasdrubal, followed by his wife and his children, joined himself; but not having the courage to persist in the same purpose with these deserters, he left the temple, and accepted of quarter. His wife, in the mean time, with more ferocity or magnanimity than her husband, laid violent hands on her children, and, together with their dead bodies, threw herself into the flame of a burning ruin. The deserters too, impatient of the dreadful expectations which they felt, in order to hasten their own fate, set fire to the temple in which they had sought a temporary cover, and perished in the flames.

The city continued to burn during seventeen days; and all this time the soldiers were allowed to seize whatever they could save from the flames, or wrest from the hands of the dying inhabitants, who were still dangerous to those who approached them. Scipio, in beholding this melancholy scene, is said to have repeated from Homer two lines containing a prophecy of the fall of Troy. "To whom do "you now apply this prediction?" said Polybius, who happened to be near him; "To my own "country," he said, "for her too I dread in her "turn the reverses of human fate (*p*)."

Scipio's letter to the Senate is said to have contained no more than these words: "Carthage is "taken. The army waits for your further orders." The tidings were received at Rome with uncommon demonstrations of joy. The victors, recollecting all the passages of their former wars, the alarms that had been given by Hannibal, and the irreconcileable antipathy of the two nations, gave orders to raze the fortifications of Carthage,

(*p*) For the history of the destruction of Carthage, see the authors above cited, p. 240.

and even to deſtroy the materials of which they were built.

A commiſſion was granted by the Senate to ten of its members to take poſſeſſion of territories which were thus deprived of their ſovereign, to model the form of this new province, and to prepare it for the reception of a Roman governor. And thus Carthage, the only inſtance in which the human genius ever appeared greatly diſtinguiſhed in Africa; the model of magnificence, the repoſitory of wealth, and one of the principal ſtates of the antient world, was no more. The Romans, incited by national animoſity, and an exceſs of jealouſy, formed a deſign more cruel towards their rival than at firſt view it appeared to be, and in the execution of it became actors in a ſcene of horror far beyond their original intention. By the milder law and practice of modern nations, we are happily exempted from the danger of ever ſeeing ſuch horrid examples repeated, at leaſt in any part of the weſtern world.

While the event of this mighty ſiege was ſtill in dependence, the Romans had other wars to maintain on the ſide of Macedonia and Greece, where the natural progreſs of their policy, ſuited to the meaſures which they had taken with other nations, now ended in the open and avowed uſurpation of a ſovereignty which they had long diſguiſed under the ſpecious titles of alliance and protection.

Macedonia being ill fitted to retain the republican form into which it had been caſt by the Romans, after ſome years of diſtraction, and an attempt at laſt in favour of a pretended ſon of the late king, to recover its independence and its monarchy, underwent a ſecond conqueſt.

Andriſcus, an African of uncertain extraction, being obſerved to reſemble the royal family of Macedonia, had the courage, under the name of Philip, to perſonate a ſon of that unfortunate monarch,

and

BOOK II. and to make pretenſions to the crown. With this object in view he went into Syria to ſolicit the aid of Demetrius, but was, by this prince, taken into cuſtody, and tranſported in chains to Rome. The Romans paid little regard to ſo contemptible an enemy, and even allowed him to eſcape. After this adventure, the ſame impoſtor appeared a ſecond time in Macedonia, and, with better fortune than he had in the firſt attempt, drew to his ſtandard many natives of that country and of Thrace. In his firſt encounter he even defeated Juventius the Roman Prætor, and was acknowledged king; but ſoon after fell a prey to Metellus, and furniſhed the Romans with an obvious pretence for reducing the kingdom of Macedonia to the ordinary form of a province.

The ſtates of the Achæan league, at the ſame time, being already on the decline, haſtened, by the temerity and diſtraction of their own councils, the career of their fortunes to the ſame termination.

The Romans, even while they ſuffered this famous republic to retain the ſhew of its independence, had treated its members in many particulars as ſubjects. At the cloſe of the war with Perſeus, they had cited to appear at Rome, or taken into cuſtody as criminals of ſtate, many citizens of Achaia, who had, in that conteſt, appeared to be diſaffected to the Roman cauſe. Of theſe they had detained about a thouſand in different priſons of Italy, until, after a period of ſeventeen years, about three hundred of them, who ſurvived their confinement, were ſet at liberty, as having already ſuffered enough; or as being no longer in condition to give any umbrage to Rome *(q)*. Polybius being of this number acquired, during his ſtay in Italy, that knowledge of Roman affairs which ap-

(*q*) Pauſanias in Achaicis.

pears

pears ſo conſpicuous in the remains of his hiſtory. When at liberty, he attached himſelf to Scipio, the ſon of Emilius, and being well verſed in the active ſcenes which had recently paſt in his own country, and being entirely occupied with reflections on matters of ſtate and of war, no doubt contributed by his inſtructions in preparing this young man for the eminent ſervices which he afterwards performed. CHAP. I.

The Romans, while they detained ſo many Greek priſoners in Italy, in a great meaſure aſſumed the adminiſtration of affairs in Greece, diſpoſed of every diſtinction, whether of fortune or power, and confined theſe advantages to the advocates of their own cauſe, and to the tools of their own ambition (*r*). They received appeals from the judgments of the Achæan council, and encouraged its members, contrary to the expreſs conditions of their league, to ſend ſeparate embaſſies to Rome. The ſteps which followed are but imperfectly marked in the fragments of hiſtory which relate to this period. It appears that the Spartans, having been forced into the Achæan confederacy, continued refractory in moſt of its councils. By ſome of their complaints at Rome, they obtained a deputation, as uſual, from the Senate to hear parties on the ſpot, and to adjuſt their differences. The Achæan council, incenſed at this inſult which was offered to their authority, without waiting the arrival of the Roman deputies, proceeded to enforce their own decrees againſt the republic of Sparta, marched an army into Laconia, and defeated with ſome ſlaughter, at the gates of Lacedemon, the inhabitants of that city who ventured to oppoſe them. The Roman commiſſioners arriving after theſe hoſtilities had commenced, ſummoned the parties to aſſemble at Corinth, and, in name of

(*r*) Polyb. Excerpt. Legat. c. 103.

the

BOOK II. the Senate, gave ſentence, that Lacedemon, Corinth, Argos, Heraclea, and Orchomenos, not having been original members of the Achæan confederacy, ſhould now be disjoined from it; and that all the cities which had been reſcued from the dominion of Philip, ſhould be left in full poſſeſſion of their freedom and independency.

Multitudes from all the different ſtates of the league being on this occaſion aſſembled at Corinth, a great riot enſued. The Roman deputies were inſulted and obliged to leave the place; and in this manner commenced a war in which the Romans, becauſe they hoped to eſtabliſh their ſovereignty in Greece without any convulſion, and had full employment for their forces in Africa, Spain, and Macedonia, engaged with great reluctance. They renewed their commiſſion, and named other deputies to terminate the diſputes in Achaia; but the ſtates of the Achæan league, imputing their conduct in this particular to fear, and to the ill ſtate of their affairs in Africa, while Carthage was likely to repel their attack, thought that they had found an opportunity to exclude for ever from their councils the overbearing influence of this arrogant nation (*s*). They were encouraged with hopes of ſupport from Thebes, Eubœa, and other diſtricts of Greece, where the people were averſe to the dominion of the Romans; and they therefore aſſembled an army to aſſert their common rights, and to enforce their authority over the ſeveral members of their own confederacy.

Unfortunately for their cauſe, Metellus had then prevailed in Macedonia, and was at leiſure to turn his forces againſt them. He accordingly moved towards the Peloponneſus, ſtill giving the Achæans an option to avert the calamities of war, by ſubmitting to the mandates of the Roman Senate.

(*s*) Polyb. Excerpt. Legat. c. 144.

These,

These, he said, were no more, than that they should desist from their pretensions on Sparta, and the other cantons who applied for the protection of Rome.

CHAP. I.

But the Achæans thought it safer to resist, than to be disarmed under these stale pretences; they took the field, passed through the isthmus of Corinth, and, being joined by the Thebans, marched to Thermopylæ with a view to defend this entry into Greece. In this, however, they were disappointed, being either prevented from seizing the pass, or driven from thence by Metellus. They were afterwards intercepted in their retreat through Phocis, where they lost their leader Critolaus, with a great part of his army (*t*). Diæus, who succeeded him as head of the confederacy, assembled a new force, consisting of fourteen thousand foot and six thousand horse, took post on the isthmus of Corinth, and sent four thousand men for the defence of Megara, a place which still made a part in the expiring confederacy of independent Greeks.

Metellus, who after his victory had made himself master of Thebes, advanced to Megara, dislodged the Achæans from thence, and continued his march to the isthmus. Here he was superseded by Mummius, the Consul of the present year, who, with the new levies from Rome, made up an army of twenty-three thousand foot and three thousand five hundred horse. The enemy, having gained an advantage over his advanced guard, were encouraged to hazard a battle under the walls of Corinth, and were defeated. The greater part fled into the town, but afterwards in the night withdrew from that place. Their general Diæus fled from the field of battle to Migalopolis, whither he had sent his family; having killed his wife, to

(*t*) Orosius, lib. v. c. 3. Pausanias in Achaicis.

prevent

BOOK II. prevent her falling into the hands of the enemy, he himſelf took poiſon, and died.

Such are the imperfect accounts which remain of the laſt efforts made by the Greeks to preſerve a freedom, in the exerciſe of which they had acted ſo diſtinguiſhed a part. As they never were ſurpaſſed by any race of men in the vigour with which they ſupported their republican eſtabliſhments, ſo they appeared to retain their ingenuity and their ſkill in many arts, after they had loſt the military and political ſpirit which conſtitutes the ſtrength and ſecurity of nations; and in this latter period, which preceded their extinction, as the Achæan league was diſſolved on having incurred the reſentment of the Romans, ſo the unhappy remnant of the Spartan republic periſhed in having accepted their protection. The enmity and the friendſhip of the Romans being equally fatal, theſe and every other ſtate or republic of Greece, from this time forward, ceaſed to be numbered among nations, having fallen a prey to a power, whoſe force nothing could equal but the ability and the cunning with which it was exerted.

Such at leaſt is the comment which we are tempted, by the conduct of the Romans, on the preſent occaſion, to make on that policy, with which, about fifty years before this date, Flamininus, to detach the Grecian cities from Philip, proclaimed, with ſo much oſtentation at the iſthmus of Corinth, general independence, and the free exerciſe of their own laws to all the republics of Greece. That People when they meant to ingratiate themſelves, ſurpaſſed every ſtate in generoſity to their allies, they gained intire confidence, and taught nations, who were otherwiſe in condition to maintain their own independence, to rely for protection on that very power from which they had moſt to fear for their liberties; and in the end, under ſome pretence of ingratitude or affront, ſtript of every

right

right thoſe very ſtates who had moſt plentifully ſhared in their bounty. In this policy there were ſome appearances of a concerted deſign, which was at one time liberal and generous beyond example, at another time cruel and implacable in the oppoſite extreme, equally calculated to gain or to terrify, in the caſes to which either ſpecies of policy was ſuited. It is however probable, that they were led by the changing ſtate of their intereſts, and followed the conjuncture without any previous deſign. In this ſort of conduct the paſſions are wonderfully ready to act in ſupport of the judgment; and we may venture to admit, that the Romans ſometimes felt the generoſity which they profeſſed to employ, and of which the belief was ſo favourable to the ſucceſs of their affairs. In a different conjuncture, in which they were no longer equally obliged to manage the temper of their allies, they became more impatient of contradiction, and gave way to their reſentment on any the ſlighteſt occaſions, or to their ambition, without controul. Their maxim to ſpare the ſubmiſſive, and to reduce the proud *(w)*, whether founded in ſentiment or cunning, was a principle productive of the extremes of generoſity and arrogance obſerved in their conduct, it led them by degrees to aſſume a ſuperiority in every tranſaction, and as their power increaſed, rendered this power proportionally dangerous to other nations.

On the third day after the action which happened in the iſthmus of Corinth, the victorious general entered the city; and conſidering that the inhabitants had a principal part in the late inſult offered to the Roman commiſſioners, determined to ſtrike a general terror into all the members of the league by the ſeverities to be executed againſt this people. Mummius, though with the reſt of

(w) Parcere ſubjectis, & debellare ſuperbos.

 his

BOOK II. his countrymen of this age, ill qualified to diſtinguiſh the elegant workmanſhip of the Grecian artiſts (*x*), of which great collections had been made at Corinth, ordered all the ſtatues and pictures to be ſet apart for his triumph; and with this reſerve, gave the town, abounding in all the accommodations and ornaments of a wealthy metropolis, to be pillaged by the ſoldiers. He razed the walls, and reduced the city to aſhes.

Thus Corinth periſhed in the ſame year with Carthage. The fortifications of Thebes, and of ſome other towns diſaffected to the Romans, were at the ſame time demoliſhed; and the arrangements to be made in the country of Greece were committed to deputies from the Roman Senate. By their order, the Achæan league was diſſolved, and all its conventions annulled. The ſtates which had compoſed it were deprived of their ſovereignty, ſubjected to pay a tribute, and placed under the government of a perſon annually ſent from Rome with the title of the Prætor of Achaia (*y*).

The Romans now appeared openly, perhaps for the firſt time, in the capacity of conquerors. The acquiſition of revenue in Macedonia, which, about twenty years before this date, had firſt taught them to exempt themſelves from taxation, excited from thenceforward an inſatiable thirſt of dominion; and their future progreſs is marked by the detail of wars which they maintained on their frontier, not in defence of the empire, but for the enlargement of poſſeſſions already too great.

In Spain where they ſtill met with reſiſtance, they had acted in all the different periods of their wars, either on the offenſive or defenſive, accord-

(*x*) He delivered them to the maſters of ſhips, with his famous threat, that if any of theſe curioſities were loſt, they ſhould be obliged to replace them.

(*y*) Pauſanias, lib. vii. c. 16. Polyb. Excerptæ de Virtutibus & Vitiis.

ing

ing as the State, was or was not, at leiſure from the preſſure of their enemies, or according as the generals ſhe employed were ambitious or pacific.

On the concluſion of the peace with Philip, the Roman territory in Spain had been divided into two provinces, and furniſhed the ſtations of two ſeparate commanders annually ſent from Rome. On the renewal of the war in Macedonia, and during the continuance of it, theſe provinces were again united under one government. But upon the defeat of Perſeus, and the reduction of Macedonia, they were ſeparated for ever.

From that time the ambition of the Romans ſeems to have operated in Spain with the ſame effect as in other parts on the boundaries of their empire. They preſſed upon the natives, not merely to ſecure their own territory from inroad and depredation, but to gain new acceſſions of dominion and wealth. They advanced to the Tagus, endeavoured to penetrate the mountains beyond the ſources of that river; and on that ſide involved themſelves in a continual ſtruggle of many years duration with the Luſitanians, Gallicians, and Celtiberi.

In theſe wars the Roman officers were actuated, by their avarice as well as by their ambition, and were glad of occaſions to quarrel with an enemy, amongſt whom the produce of rich mines of ſilver and of gold were known to abound, and where plentiful ſpoils were ſo likely to reward their ſervices.

The theatre of the war in Spain was not ſo conſpicuous, nor the conduct of generals ſo ſtrictly obſerved, as they were in Africa, Aſia, or Greece; and ſuch as were employed in that ſervice, therefore, the more to haſten their conqueſts, ventured upon acts of treachery or breach of faith with the cantons around them, which the Senate did not commonly avow; and they alſo ventured upon

BOOK II. acts of extortion and peculation in their own governments, which gave occasion to the first complaints of this sort that were brought to Rome.

The Proconsul Lucullus, having accepted of the surrender of a town, and being received into it in consequence of a capitulation, nevertheless put the inhabitants to the sword and carried off their effects. Galba, commanding in Lusitania, or the western province of Spain, soon afterwards circumvented, by a like act of perfidy and cruelty, some of the inhabitants whom he could not otherwise reduce. These examples probably retarded, instead of forwarding, the progress of the Roman arms, and confirmed that obstinate valour with which the natives of Spain disputed every post in defence of their country; and with which they maintained the contest against a succession of Roman Generals, Prætors, or Consuls, who were employed to subdue them. This contest they continued or renewed, at short intervals, with various success, from the first expedition of the Scipios to the last of Augustus.

At the beginning of the last war with Carthage, the Lusitanians, incensed by the act of treachery which was committed by the Roman general Galba, re-assembled in numerous parties under Viriathus, who had himself escaped from the massacre on that occasion, and who entertained an implacable resentment to the authors of it. This leader, according to the Roman historians, had been originally a herdsman, afterwards a chief of banditti, and last of all the commander of an army which had often defeated the legions of Rome, and threatened their expulsion from Spain. He seems to have known how to employ the impetuous valour of a rude people against troops not less valiant than his own countrymen, though more depending on discipline; and to have possessed what the Spaniards retained, even down to the days of Cæsar, the faculty of turning the want of order to

account

account against an enemy so much accustomed to order, as, in a great measure, to rely upon it in most of their operations. With him an apparent rout and dispersion of his followers was the ordinary prelude to a violent attack; and he commonly endeavoured, by pretended flights and disorderly movements, to draw the enemy into rash pursuits or precipitant marches, and seized every advantage which they gave him with irresistible address and valour. He continued above ten years to baffle all the attempts which the Romans made to reduce Lusitania. He had projected a league and defensive confederacy with the other free nations of Spain, when he was assassinated, as he lay asleep on the ground, by two of his own followers, supposed to be in concert with the Roman general.

The Romans, upon this event, found the western and northern parts of Spain open to their inroads. In little more than a year afterwards a Roman army under Brutus passed the Duero (z), and penetrated quite to the coast of Gallicia, from which they reported, with more than the embellishments and exaggerations of travellers, that the sun was seen from this distant region, when he set in the evening, to sink and to extinguish himself with a mighty noise in the Western Ocean.

The natives of this country, however, did not think themselves subdued by being thus over-run. They retired, with their cattle and effects, into places of strength; and, when required to pay contributions, replied, That their ancestors had left them swords to defend their possessions, but not any gold to redeem them.

Such were the occupations of the Roman arms in the western division of Spain, while they were equally engaged in the eastern province, under

(z) Durius.

Cato

BOOK II. Cato the Elder, Tiberius Gracchus, and others, who endeavoured to ſecure what the State had already acquired, or to extend its limits. Theſe generals obtained their ſeveral triumphs, and joined to the Roman poſſeſſions on the coaſt conſiderable acquiſitions in the inland part of the country. Their progreſs, however, on this ſide, had been greatly retarded by the obſtinate valour of the Numantians and other cantons of the Celtiberi, who had maintained the conteſt during fifty years, and at laſt had formed a general confederacy of all the interior nations of Spain, to be conducted by Viriathus, when their meaſures were broken by the death of that formidable leader.

Numantia was the principal ſtrong hold, or, as we may conceive it, the capital of a ſmall nation. Their lodgement, or townſhip, was contained within a circumference of about three miles, ſituated among the mountains of Celtiberia, or Old Caſtile, and at the confluence of the Durius with another river, both of which having ſteep banks, rendered the place, on two of its ſides, of very difficult acceſs. It was fortified on the third ſide with a rampart and a ditch.

The people could muſter no more than eight or ten thouſand men; but theſe were greatly diſtinguiſhed by their valour, reputed ſuperior in horſemanſhip to every other nation of Spain, and equal to the Romans in the uſe of the ſhield and the ſtabbing ſword. They had already gained many victories over the Roman armies which had been employed to reduce them. They had obliged Pompey, one of the Roman generals, contrary to the practice of his country, to accept of a treaty, while the advantage of fortune was againſt him. They obliged the Conſul Mancinus to ſave his army by a capitulation *(a)*. Neither of thoſe

(a) Eutropius, lib. iv. c. 8.

treaties

treaties indeed were ratified by the Roman Senate. To expiate the breach of the laſt, the Conſul Mancinus, who concluded it, together with Tiberius Gracchus his Queſtor, were ordered to be delivered up to the hands of the enemy, and to ſuffer in their own perſons for the failure of engagements which they could not fulfil. Tiberius Gracchus appealed to the people, was ſaved by their favour, and from this time is ſuppoſed to have received that bias which he followed in the ſubſequent part of his political conduct. Mancinus acquieſced in the ſentence of the Senate, was preſented naked and in fetters at the gates of Numantia, as a ſacrifice to the reſentment of that nation, for the breach of a treaty which the Romans determined not to obſerve. But the victim was nobly rejected, and the Numantians inſiſted on the conditions they had ſtipulated, ſaying, that a public breach of faith could not be expiated by the ſuffering of a private man *(b)*.

Theſe tranſactions paſſed about ten years after the deſtruction of Carthage, and the Romans, mortified with the length and ill ſucceſs of the war with Numantia, had recourſe again to the ſervices of Scipio.

They had formerly diſpenſed, in his favour, with the law that required a certain age as a qualification for the office of Conſul; and now, in order to employ him a ſecond time, they were obliged to ſuſpend another law, which prohibited the re-election of the ſame perſon into that office.

Upon the arrival of Scipio in Spain, it is ſaid that he found the Roman army, diſcouraged by repeated defeats, withdrawn into fortified ſtations at a diſtance from the enemy, deteſting the hardſhips of a military camp, indulging themſelves in all the vices of a diſorderly town, and ſubject to

(b) Appian de Bell. Hiſpan. p. 302.

panics

BOOK II. panics on the ſlighteſt alarm. It is ſaid that the cries, the aſpect, the painted viſage, and the long hair of the Spaniard were become objects of terror (c).

Among the reformations which Scipio made to reſtore the vigour of the army, he cleared the camp of its unneceſſary followers, amongſt whom are mentioned women, merchants, and fortune-tellers; he reſtricted the quantity of baggage, reduced the furniture of the kitchen to the ſpit and the pan; and the tables of officers to plain food, roaſted or boiled. He prohibited the uſe of bedſteads in camp, and ſet the example himſelf of ſleeping on a ſtraw mat; likewiſe reſtrained the infantry from the uſe of horſes on the march, and obliged them to carry their own baggage.

Though poſſeſſed of ſuperior numbers, he declined a battle, and avoided every rout on which the enemy were prepared to receive him; took advantage of a ſuperior addreſs in managing his reſources, and damped the ardour of a fierce people by ſlow operations; he laid waſte the country around them, and by degrees obliged them to retire within their own ramparts, and to conſume what was raiſed or provided within the circuit of their walls.

Scipio had been joined on his march to Numantia by Jugurtha, the grandſon of Maſſiniſſa, who, on this ſervice, made his firſt acquaintance with the Romans, and brought a reinforcement of twelve elephants, with a conſiderable body of horſe, of archers and ſlingers. At its arrival the army amounted to ſixty thouſand men. But Scipio did not attempt to ſtorm the town; he took a number of poſts which he ſucceſſively fortified, and, by joining them together, completed a double line of circumvallation, equal in ſtrength to the walls

(c) Florus.

which

which were oppofed to him. He had his curtains, his towers, his places of arms correfponding to thofe of the place; and he eftablifhed an order of fervice and a fet of fignals, in cafe of alarm by day or night, which refembled more the precautions of an army, on its defence, than the operations of a fiege. His intention was to reduce the Numantians by famine, an operation of time, during which, from fo warlike a nation, he might be expofed to furprife, or to the effects of defpair.

The place befieged being at the confluence of rivers navigable with fmall veffels, which defcended with great rapidity on the ftream, or which could with the favour of proper winds, even remount in the fight of the enemy. The people, for a while, procured fome fupplies by water. Numbers of them fwimming with great addrefs, and diving at proper places, to avoid being feen by the befiegers, ftill paffed through the lines, and preferved a communication with the country, until the rivers alfo were barred acrofs their channels by timbers, that were armed with fword blades and fpikes of iron.

The Numantians were ftill in hopes of fuccour from their allies. Five aged warriors undertook, each with his fon for a fecond, to pafs through the lines of the enemy, and to fue for relief from the neighbouring nations. They fucceeded by night in the firft part of their attempt, cut down the Roman guard, threw the camp into fome confufion, and efcaped before the occafion of the alarm was known. But their caufe was become defperate, and too likely to involve in certain ruin any friend who embraced it. Their fuit, neverthelefs, was attended to at Lutia, the head of a fmall canton, forty miles from Numantia.

The young men of this place took their refolution in favour of the injured Numantians; but Scipio had notice of their intention time enough to prevent

BOOK II. vent its effect. He haſtened to the place, and, having accompliſhed this march of forty miles in eight hours, ſurpriſed the inhabitants, had four hundred young men delivered up to him, and ordered their right arms to be ſtruck off. By this dreadful act of ſeverity, he ſecured himſelf from any danger on that quarter, and impreſſed the other ſtates of that neighbourhood with terror.

The Numantians, in the mean time, were preſſed with famine, and having no hopes of relief, ſent a deputation to try the clemency of their enemy. "What was once a happy ſtate," they ſaid, "content with its own poſſeſſions, and ſecure in the "valour of its citizens, is now reduced to great "diſtreſs, for no other crime than that of having "maintained their freedom, and of having defended their wives and children.

"For you," they continued, addreſſing themſelves to Scipio, "who yourſelf are ſaid to poſſeſs "ſo many virtues, it would become you to eſpouſe the cauſe of this injured nation, and procure to them terms which they could with honour prefer to their preſent diſtreſſes. Their "expectations are moderate, for they have felt "the reverſes of fortune. It is now in your power to receive their ſubmiſſion under any tolerable "conditions, or to ſee them periſh in ſome act of "deſpair, which may prove fatal to many of their "enemies, as well as to themſelves."

Scipio replied, That he could not grant them any terms; that they muſt ſurrender at diſcretion.

Upon the return of this anſwer they reſumed their former obſtinacy, and held out until they had conſumed every article of proviſion within their walls; endeavoured to turn their ſhields and other utenſils of leather into food, devoured the dead bodies, and even preyed on each other.

The end of this piteous ſcene is variouſly reported. By ſome it is ſaid, that, in the laſt ſtage of deſpair, the

the Numantians ſallied forth to purchaſe death by the ſlaughter of their enemies; that, in the execution of this purpoſe, they for ſome time expoſed themſelves with the moſt frantic rage, till the greater part being ſlain, a few returned into the town, ſet fire to the houſes, and, with their wives and children, periſhed in the flames (*d*).

By others it is ſaid, that they agreed to ſurrender on a certain day; but that when this day came they begged for another; alleging, that many of their people, yet fond of liberty, had determined to die, and wiſhed for one day more, that they might the more deliberately execute their purpoſe. Such was the averſion to ſurrender at diſcretion, which the fear of captivity, and that of its ordinary conſequences among antient nations, had inſpired. The few of this high-minded people who ſurvived the effects of deſpair, falling into the enemy's hands, were ſtripped of their arms. Fifty were reſerved, as a ſpecimen of the whole, to adorn the victor's triumph. The remainder were ſold for ſlaves, and the walls of their ſtrong hold were levelled with the ground. The priſoners, even after they had laid down their arms and ſubmitted to mercy, retained the ferocity of their looks, and caſt on their victors ſuch glances of indignation and rage, as ſtill kept the animoſity of enemies awake, and prevented the returns of pity. As theſe particulars ſtrongly mark the defects which ſtill ſubſiſted in the ſuppoſed law of war among antient nations, the reader will probably bear with the ſhock that is given to his feelings of compaſſion, for the ſake of the picture which it is neceſſary to give of the manners of the times.

If we judge of Numantia from the reſiſtance it made to the Roman arms, it having been one of their moſt difficult conqueſts, we muſt conſider it

(*d*) Oroſius, lib. v. c. 7. Florus, lib. ii. c. 18.

as

as a ſtate of conſiderable power. Its reduction gave immediate reſpite from war in Spain. Scipio and Brutus returned nearly together from their provinces in that country, and had their ſeparate triumphs in the ſame year.

Theſe operations againſt Numantia, Carthage, Macedonia, and Greece, were accompanied with a revolt of the ſlaves in Sicily, and with a number of other wars leſs conſiderable in Illyricum, Thrace, and Gaul. Of theſe the revolt of the ſlaves merits the greater attention, on account of the view it gives of the ſtate of the countries now under the immediate juriſdiction of Rome. The iſland of Sicily having been the firſt acquiſition which the Romans made beyond the limits of Italy, had been for ſome time in a ſtate of domeſtic tranquillity, and undiſturbed by any foreign enemy. Its lands were become the property of Roman citizens, who here, as on their eſtates in Italy, cultivated plantations to ſupply with corn, wine, and oil, the markets and granaries of Rome. The labour was performed by ſlaves. Theſe were led in chains to the fields, or confined in vaults and fortified workhouſes at the ſeveral taſks they were employed to perform. As the proprietors of land had many reaſons to prefer the labour of ſlaves to that of freemen, who were diſtracted by their political engagements, and ſubject to be called upon or preſſed into the military ſervice, the number of ſlaves continually increaſed. They were, for the moſt part, priſoners of war; and ſome of them being even of high rank, unuſed to ſubmiſſion, and animated with fierce paſſions of indignation and ſcorn, were ready upon every favourable opportunity, to take arms againſt their maſters, and often to ſhake the ſtate itſelf with a ſtorm which was not foreſeen until it actually burſt.

About ten years after the deſtruction of Carthage, and four years before that of Numantia,

this

this injured claſs of men were incited to revolt in Sicily by Eunus, a Syrian ſlave; who, at firſt, under pretence of religion, and by the fame of miracles he was ſuppoſed to perform, tempted many to break from their bondage; traverſed the country, broke open the vaults and priſons in which his fellow-ſufferers were confined, and actually aſſembled an army of ſeventy thouſand men. With this force, in four ſucceſſive campaigns, he made a proſperous war on the Roman Prætors, and often ſtormed the entrenchments of the Roman camp.

This leader, however, being ill-qualified to improve his victories, and having no concerted plan for the government or ſubſiſtence of his followers, in a country that was gradually ruined by their own devaſtations, was at length, by the caution and ſuperior conduct of Perperna, or Publius Rutilius, gradually circumſcribed in his depredations, defeated, and obliged to take refuge in Enna, a fortified place, where about twenty thouſand of his followers were put to the ſword, and the remainder, as an example to deter ſlaves from the commiſſion of a ſimilar offence, were nailed to the croſs near the moſt frequented highways, and in the moſt conſpicuous parts of the iſland.

While the Roman armies were thus employed in the provinces, or on the frontier of their extenſive conqueſts, Italy itſelf had long enjoyed a perfect ſecurity, the lands were cultivated, and the country ſtocked with people, whether aliens or citizens, freemen or ſlaves. From about three hundred thouſand (*e*), which, in this period, were the ordinary return of the Cenſus, the citizens ſoon after augmented to above four hundred thouſand (*e*); and

(*e*) Three hundred and twenty thouſand.

(*f*) Four hundred and twenty-eight thouſand three hundred and forty-two.

Scipio,

BOOK II.

Scipio, under whoſe inſpection as Cenſor this return was made, hearing the Crier repeat the prayer which was uſual at the cloſing of the rolls, "That "the republic might increaſe in the numbers of its "people, and in the extent of its territory;" bid him pray that it might be preſerved, for it was already great enough. It is probable that, in the view of this ſagacious obſerver, the marks of corruption already began to appear in the capital; and a tree, which ſtill continued for a century to make ſuch vigorous ſhoots from its branches, already bore ſome marks of decay in its trunk.

The offices of State, and the government of provinces, to which thoſe who had filled them ſucceeded, began to be coveted from avarice, as well as from ambition. Complaints of peculation and extortion, which were received about this time from Spain and Macedonia, pointed out the neceſſity of reſtraining ſuch oppreſſions, and ſuggeſted ſome penal laws, which were often, and in vain, amended and revived.

An action was inſtituted in favour of the provinces, againſt governors, or their attendants, who ſhould be accuſed of levying money without the authority of the State, and an ordinary juriſdiction was granted to one of the Prætors, to hear complaints on this ſubject. The penalty at firſt was no more than reſtitution, and a pecuniary fine; it was gradually extended to degradation, and exile.

Nº. 604. Lex Culpurnia de Repetundis. Queſtiones perpetuæ.

Theſe reformations are dated in the time of the laſt war with Carthage, and are aſcribed to the motion of Culpurnius Piſo, then one of the Tribunes. Before this time all juriſdiction in criminal matters belonged to the Tribunal of the People, and was exerciſed by themſelves in their collective capacity, or occaſionally delegated to a ſpecial commiſſion. Few crimes were yet defined by ſtatute, and ordinary courts of juſtice for the trial of them were not yet

I

yet eſtabliſhed. In theſe circumſtances criminals of ſtate had an opportunity not only to defend themſelves after a proſecution was commenced, but likewiſe to employ intrigue, or exert their credit with the People, to prevent or evade a trial.

To ſupply theſe defects, a liſt of ſtatutory crimes now began to be made, and an ordinary juriſdiction was eſtabliſhed. Beſides extortion in the provinces, which had been defined by the law of Culpurnius *(g)*, murder, breach of faith, robbery, aſſault, poiſoning, inceſt, adultery, bribery, falſe judgment, fraud, perjury, *&c.* were ſucceſſively joined to the liſt; and an ordinary juriſdiction for the trial of ſuch crimes was veſted in a jury of Senators, over whom the Prætor, with the title of Quæſitor, preſided.

The number of Prætors, correſponding to this and other growing exigencies of the State, was now augmented to ſix; and theſe officers, though deſtined, as well as the Conſuls, to the command of armies and the government of provinces, began, during the term of their magiſtracy, to have full occupation in the city. On this account it was not till after the expiration of the year for which they had been elected, that they drew lots for a province. A like policy was ſoon after adopted in the deſtination of Conſuls, and all the other officers of State, who, being ſuppoſed to have ſufficient occupation in Italy and Rome during the year of their appointment, were not deſtined to any foreign ſervice till that year was expired.

With theſe eſtabliſhments, calculated to ſecure the functions of office, the uſe of the ballot was introduced, firſt in elections, and afterwards in collecting opinions of judges in the courts of juſ-

(g) Parricidium, vis publica, latrocinium, injuria, veneficium, inceſtus, adulterium, captæ pecuniæ, corrupti judicii, falſi, perjurium.

BOOK II. tice (*h*): a dangerous form of proceeding in conſtitutions tending to popular licence, and where juſtice is more likely to ſuffer from the unawed paſſions of the lower people, than from any improper influence of ſuperior rank; and where the authority of the wiſe, and the ſenſe of public ſhame, were ſo much required, as principal ſupports of government.

An occaſion for the commiſſion of new crimes is frequently taken from the precautions which are employed againſt the old. From the facility with which criminal accuſations now began to be received, a new ſpecies of crime accordingly aroſe. Calumny and vexatious proſecutions commenced by diſappointed competitors againſt perſons in public truſt, became ſo frequent as to require the interpoſition of laws. On this account it was enacted, upon the motion of Memmius, that all perſons in office, or appointed to command in the provinces, might decline anſwering a criminal charge until the expiration of their term, or until their return from the ſervice to which they were deſtined (*i*); and perſons of any denomination might have an action of calumny againſt the author of a falſe or groundleſs proſecution. Whoever was convicted of this offence was to be branded in the face with the initials of his crime.

By theſe eſtabliſhments the city of Rome, long reſembling a mere military ſtation, made ſome progreſs in completing the ſyſtem and application of her laws. Literary productions, in ſome of their forms, particularly in the form of dramatic compoſitions, as hath been already obſerved, began to be known. The repreſentation of fables was firſt introduced under pretence of religion, and practiſed as a ſacred rite to avert the plague or ſome

(*h*) Lex Gabinia Tabellaria.
(*i*) Lex Memmia de reis poſtulandis. Lex Caſſia Tabellaria.

public

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public calamity. This entertainment was fondly received by the People, and therefore frequently presented to them by the Ediles, who had the charge of ſuch matters. Literature, however, in ſome of its leſs popular forms, was checked, as a ſource of corruption. In the year of Rome five hundred and ninety-two, that is, about eight years after the reduction of Macedonia, the Roman Senate, upon a report from M. Pomponius, the Prætor, that the city was frequented by philoſophers and rhetoricians, reſolved that this officer, agreeably to his duty to the republic, ſhould take care to remove all ſuch perſons in the manner his own judgment ſhould direct (*k*); and, in about ſix years after this date, an embaſſy having come from Athens, compoſed of ſcholars and rhetoricians, who drew the attention of the youth by the diſplay of their talents, an uncommon diſpatch was given to their buſineſs, that they might not have any pretence for remaining too long in the city.

U. C. 592.

A propoſal which was made during this period, to erect a theatre for the accommodation of the ſpectators at their public ſhews, was rejected with great indignation, as an attempt to corrupt the manners of the People. The materials which had been collected for this work were publicly ſold, and an edict, at the ſame time, was publiſhed, that no one ſhould ever reſume this deſign, or attempt to place any bench or ſeat for the accommodation of the ſpectators at any theatrical entertainment in the city, or within a mile of its walls (*l*). It was thought an act of effeminacy, it ſeems, for the Roman People to be ſeated; and it is undoubtedly wiſe, in matters of ſmall moment, however innocent, to forbid what is conſidered as an evil, and, in remitting eſtabliſhed ſeveri-

(*k*) A. Gellius, lib. xv. c. 11.

(*l*) Val. Maxim. lib. ii. c. 4.

BOOK II. ties, to let the opinion of innocence at leaſt precede the indulgence.

The ſumptuary laws already mentioned, reſpecting entertainments and houſehold expences, were, under the name of Didius, the perſon who propoſed the renewal of them, revived (*m*); and, with ſome alterations, extended to all the Roman citizens diſperſed over Italy.

Such was the antidote which the policy of that age provided, in the capital of a great empire, againſt luxury and the oſtentation of wealth; diſtempers incident to proſperity itſelf, and not to be cured by partial remedies. They were by the Romans (who knew better how to accompliſh the celebrated problem of Themiſtocles, *in making a ſmall ſtate a great one*, than they knew how to explain the effects of its greatneſs) commonly imputed to ſome particular circumſtance, or accidental event. To the ſpoils of Tarentum, they ſaid, and of Aſia (*n*), to the deſtruction of our principal rivals the Carthaginians; to the mighty ſhow of ſtatues, pictures, and coſtly furniture, which were brought by Mummius from Corinth, we owe this admiration of finery, and ſo prevailing a paſſion for private as well as for public wealth.

In this manner they explained the effects of a progreſs which they themſelves had made in the acquiſition of ſo many provinces; in the growing ſecurity and riches of a mighty city, from which all foreign alarms were far removed; and to which the wealth of a great empire, either in the form of private fortune or of public treaſure, began to flow with a continued and increaſing ſtream (*o*).

(*m*) Lex Didia.

(*n*) Aſia primum devicta luxuriam miſit in Italiam. Plin. lib. xxxiii. c. 11.

(*o*) Liv. lib. xxxix. c. 6. Plin. lib. xxxvii. c. 1.

CHAP.

CHAP. II.

Extent of the Roman Empire.—Political Character of its Head.—Facility with which it continued to advance.—Change of Character, political as well as moral.—Character of the People or Commons.—Dangerous Humours likely to break out.—Appearance of Tiberius Gracchus.—His project to revive the Law of Licinius.—Intercession of the Tribune Octavius.—The Republic divided.—Disputes in the Comitia.—Deposition of the Tribune Octavius.—Commissioners appointed for the Division of Lands. Tiberius Gracchus sues to be re-elected Tribune.—His Death.—Immediate Consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign Affairs.—Violence of the Commissioners.—Domestic Affairs.

IN the manner that has been summarily stated in the preceding Chapters, the Romans completed their political establishment, and made their first and their greatest advances to empire, without departing from the policy by which they had been preserved in the infancy of their power. They were become sovereigns of Macedonia, Greece, Italy, part of Africa, Lusitania, and Spain; yet, even in this pitch of greatness, made no distinction between the civil and military departments, nor gave to any citizen an exemption from the public service. They did not despise any enemy, neither in the measures they took, nor in the exertions they made to resist him: and as the fatal effects which they and all the other nations of the antient world were long accustomed to expect from defeats, were no less than servitude or death, they did

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BOOK II. not ſubmit to any enemy, in conſequence of any event, nor under the preſſure of any calamity whatever.

Other nations were accuſtomed to riſe on victories, and to ſink under defeats; to become inſolent or mean with the tide of their fortunes. The Romans alone were moderate in proſperity, and arrogant when their enemies expected to force their ſubmiſſion.

Other nations, when in diſtreſs, could weigh their ſufferings againſt the conceſſions which they were required to make; and, among the evils to which they were expoſed, preferred what appeared to be the leaſt. The Romans alone ſpurned the advances of a victorious enemy; were not to be moved by ſufferings; and, though they cautiouſly avoided difficulties that were likely to ſurpaſs their ſtrength, did not allow it to be ſuppoſed that they were governed by fear in any caſe whatever. They willingly treated with the vanquiſhed, and were ready to grant the moſt liberal terms when the conceſſion could not be imputed to weakneſs or fear. By ſuch free and unforced conceſſions, indeed, they eſtabliſhed a reputation for generoſity, which contributed, no leſs than their valour, to ſecure the dominion they acquired.

With the ſame inſinuating titles of allies or protectors, by which they had, in the infant ſtate of their policy, brought all the cantons of Latium to follow their ſtandard, they continued to take the aſcendant over nations whom they could not have otherwiſe ſubdued. But as they were liberal in their friendſhips, ſo, after repeated provocations ſeemed to juſtify a different conduct, they were terrible in their reſentments, and took ample compenſation for the favours they had formerly beſtowed.

By their famous maxim in war already mentioned, That *the ſubmiſſive were to be ſpared,* and *the*

the proud to be humbled, it became neceſſary for them, in every quarrel, to conquer or to periſh; and, when theſe were the alternatives propoſed by them, other nations were intitled to conſider them as common enemies. No State has a right to make the ſubmiſſion of mankind a neceſſary condition to its own preſervation; nor are many States qualified to ſupport ſuch pretenſions. Some part of this political character, however, is neceſſary to the ſafety, as well as to the advancement of nations. No free State or Republic is ſafe under any other government or defence, than that of its own citizens. No nation is ſafe that permits any ally to ſuffer by having eſpouſed its cauſe, or that allows itſelf to be driven, by defeats or misfortunes, into a ſurrender of any material part of its rights.

The meaſure of the Roman conqueſts, in the beginning of the ſeventh century of Rome, though great, was yet far from being full; and the People had not hitherto relaxed the induſtry, nor cooled in the ardour with which proſperous nations advance, but which they frequently remit in the height of their attainments and of their power.

The conſtitution of the commonwealth ſtill afforded a plentiful nurſery of men for both the civil and military departments; and this People accordingly continued for ſome time to advance with a quick pace in the career of their conqueſts. They ſubdued mighty kingdoms with as great, or greater facility, than that with which they had formerly conquered villages and ſingle fields.

But the enlargement of their territory, and the ſucceſs of their arms abroad, became the ſources of a ruinous corruption at home. The wealth of provinces began to flow into the city, and filled the coffers of private citizens, as well as thoſe of the commonwealth. The offices of State and the command of armies were become lucrative as well

BOOK II. as honourable, and were coveted on the former account. In the State itſelf the governing and the governed felt ſeparate intereſts, and were at variance, from motives of avarice, as well as ambition; and, inſtead of the parties who formerly ſtrove for diſtinction, and for the palm of merit in the ſervice of the commonwealth, factions aroſe, who contended for the greateſt ſhare of its ſpoils, and who ſacrificed the public to their party-attachments and animoſities.

Two hundred and thirty years had elapſed ſince the animoſities of Patrician and Plebeian were extinguiſhed by the equal participation of public honours. This diſtinction itſelf was in a great meaſure obliterated, and gave way to a new one, which, under the denominations of Nobles and Commons, or Illuſtrious and Obſcure, without involving any legal diſparity of privileges, gave riſe to an ariſtocracy, which was partly hereditary, founded in the repeated ſucceſſion to honours in the ſame family; and partly perſonal, founded in the habits of high ſtation, and in the advantages of education, ſuch as never fail to diſtinguiſh the conditions of men in every great and proſperous ſtate.

Theſe circumſtances conferred a power on the Nobles, which, though leſs invidious, was not leſs real than that which had been poſſeſſed by the ancient Patricians. The exerciſe of this power was lodged with the Senate, a body which, though by the emulation of its members, too much diſpoſed to war, and ambitious of conqueſt, was probably never ſurpaſſed in magnanimity, ability, or in ſteadineſs, by any council of ſtate whatever.

The People had ſubmitted to the Senate, as poſſeſſed of an authority which was founded in the prevailing opinion of their ſuperior worth; and even the moſt aſpiring of the Commons allowed themſelves to be governed by an order of men,

amongſt

amongſt whom they themſelves, by proper efforts and ſuitable merit, might hope to aſcend. The examples of preferment, and the riſe of individuals, from the loweſt to the higheſt ranks of the commonwealth, though for the moſt part received with ſome degree of jealouſy by thoſe who were already in poſſeſſion of the higher condition, were nevertheleſs frequent, and extinguiſhed all appearance of an excluſive pretenſion to the honours of the State, in any order or claſs of the People.

The Knights, or the Equeſtrian order, being perſons poſſeſſed of eſtates or effects of a certain valuation (*a*), formed between the Senate and the People an intermediate rank, who, in conſequence of their having a capital, and being leſs engaged than the Senators in affairs of State, became traders, contractors, farmers of the revenue, and conſtituted a ſpecies of moneyed intereſt in the city, and in the provinces.

Such, during the latter part of the period of which the events have been already related, was the diſtribution of rank in this commonwealth. But circumſtances which appear to be fixed in the political ſtate of nations, are often no more than a paſſage in the ſhifting of ſcenes, or a tranſition from that which a people have been, to what they are about to become. The Nobles began to avail themſelves of the high authority and advantages of their ſtation, and to accumulate property as well as honours. The country began to be occupied with their plantations and their ſlaves. The number of great landed eſtates, and the multiplication of ſlaves, kept pace together. This manner of ſtocking plantations was neceſſary or expedient in the circumſtances of the Romans: for if the Roman citizen, who poſſeſſed ſo much conſequence

(*a*) 400,000 Roman money, or about 3,000l.

in

BOOK II. in his military and political capacity, had been willing to become a hireling and a servant, yet it was not the intereſt of maſters to entruſt their affairs to perſons who were liable to be preſſed into the legions, or who were ſo often called away to the comitia and aſſemblies of the People.

Citizens contended for offices in the State as the road to lucrative appointments abroad; and when they had obtained this end, and had reigned for a while in ſome province, they brought back from their governments a profuſion of wealth ill acquired, and the habit of arbitrary and uncontrouled command. When diſappointed in the purſuits of fortune abroad, they became the leaders of dangerous factions at home; or when ſuddenly poſſeſſed of great wealth, they became the agents of corruption to diſſeminate idleneſs, and the love of ruinous amuſements, in the minds of the People.

The ſecluſion of the Equeſtrian order from the purſuit of political emolument or honour, and the opportunities they had, by contracts and by farming the revenue, to improve their fortunes in a different way, confirmed them in the habits of trade, and the attention to lucrative conſiderations.

The city was gradually crowded with a populace, who, tempted with the cheap or gratuitous diſtribution of corn, by the frequency of public ſhews, by the conſequence they enjoyed as members of the popular aſſemblies, or perhaps diſlodged from the country by the engroſſers of land, and the preference which was given to the labour of ſlaves over that of freemen, flocked from the colonies and municipal towns to reſide at Rome. There they were corrupted by idleneſs and indigence, and the order itſelf was continually debaſed by the frequent acceſſion of emancipated ſlaves.

The

The Romans, who were become ſo jealous of their prerogative as citizens, had no other way of diſpoſing of a ſlave, who had obtained his freedom, than, by placing him on the rolls of the People; and from this quarter accordingly the numbers of the People were chiefly recruited. The emancipated ſlave took the name of his maſter, became a client, and a retainer of his family; and at funerals and other ſolemnities, where the pomp was diſtinguiſhed by the number of attendants, made a part of the retinue. This claſs of men accordingly received continual additions, from the vanity or weakneſs of thoſe who choſe to change their ſlaves into dependent citizens; and numbers who had been conducted to Rome as captives, or who had been purchaſed in Aſia or Greece, at a price proportioned to the pleaſurable arts they poſſeſſed, became an acceſſion to that turbulent populace, who, in the quality of Roman citizens, tyrannized in their turn, over the maſters of the world, and wrecked on the conquerors of ſo many nations the evils which they themſelves had ſo freely inflicted on mankind *(b)*.

Citizens of this extraction could not for ages arrive at any places of truſt, in which they could, by their perſonal defects, injure the commonwealth; but they increaſed, by their numbers and their vices, the weight of that dreg, which, in great and proſperous cities, ever ſinks, by the tendency of vice and miſconduct, to the loweſt condition. They became a part of that faction who are ever actuated by envy to their ſuperiors, by mercenary views, or by abject fear; who are ever ready to eſpouſe the cauſe of any leader againſt the reſtraints of public order; diſpoſed to vilify the more reſpectable ranks of men; and by their indifference on the ſubjects of juſtice or honour,

(*b*) Velleius, lib. ii. c. 4.

to

BOOK II. to frustrate every principle that may be employed for the government of mankind, besides fear and compulsion.

Although citizens of this description were yet far from being the majority at Rome, yet it is probable that they were in numbers sufficient to contaminate the whole body of the People; and, if enrolled promiscuously in all the tribes, might have had great weight in turning the scale of political councils. This effect, however, was happily prevented by the wise precaution which the Censors had taken to confine all citizens of mean or slavish extraction to four of the Tribes. These were called the Tribes of the City, and formed but a small proportion of the whole (*c*).

Notwithstanding this precaution, we must suppose them to have been very improper parties in the participation of sovereignty, and likely enough to disturb the place of assembly with disorders and tumults.

While the State was advancing to the sovereignty of Italy, and while the territories successively acquired were cleared for the reception of Roman citizens, by the reduction and captivity of the natives, there was an outlet for the redundancy of this growing populace, and its overflowings were accordingly dispersed over Italy, from Rhegium to Aquileia, in about seventy colonies. But the country being now completely settled, and the property of its inhabitants established, it was no longer possible to provide for the indigent citizens in this manner; and the practice of settling new colonies, which had been so useful in planting, and securing the conquests which were made in Italy, had not yet been extended beyond this country, nor em-

(*c*) Liv. lib. ix. c. 46. When this precaution was taken by Fabius Maximus, the Tribes amounted to thirty-one. See the successive additions by which the Tribes were brought up to this number, Liv. lib. vi. c. 5. lib. vii. c. 15. lib. viii. c. 17. lib. ix. c. 20.

ployed

ployed as the means of securing any of the provinces lately acquired. Mere colonization, indeed, would have been an improper and inadequate measure for this purpose; and in time of the republic never was, in any considerable degree, extended beyond sea. The provinces were placed under military government, and were to be retained in submission by bodies of regular troops. Roman citizens had little inclination to remove their habitations beyond the limits of Italy; and if they had, would have been unable, in the mere capacity of civil corporations and pacific settlements, to carry into execution the exactions of a government which they themselves now become inhabitants and proprietors of land in those provinces, would have soon been interested to oppose: for these reasons, although the Roman territory was greatly extended, the resources of the poorer citizens were diminished. The former discharge for many dangerous humours that were found to arise among them, was in some measure shut up, and these humours began to regorge on the State.

While the inferior people at Rome sunk in their characters, or were debased by the circumstances we have mentioned, the superior ranks, by their application to affairs of State, by their education, by the ideas of high birth and family distinction, by the superiority of fortune, began to rise in their estimation, in their pretensions, and in their power; and they entertained some degree of contempt for persons, whom the laws still required them to admit as their fellow-citizens and equals.

In this disposition of parties so dangerous in a commonwealth, and amidst materials so likely to catch the flame, some sparks were thrown that soon kindled up anew all the popular animosities which seemed to have been so long extinguished. We have been carried, in the preceding narration, by

BOOK II. the ſeries of events, ſomewhat beyond the date of tranſactions that come now to be related. While Scipio was employed in the ſiege of Numantia, and while the Roman officers in Sicily were yet unable to reduce the revolted ſlaves, Tiberius Gracchus, born of a Plebeian family, but ennobled by the honours of his father, by his deſcent on the ſide of his mother from the firſt Scipio Africanus, and by his alliance with the ſecond Scipio, who had married his ſiſter, being now Tribune of the People, and poſſeſſed of all the accompliſhments required in a popular leader, great ardour, reſolution, and eloquence, formed a project in itſelf extremely alarming, and in its conſequences dangerous to the peace of the republic.

Like other young men of high pretenſions at Rome, Tiberius Gracchus had begun his military ſervice at the uſual age, had ſerved with reputation under his brother-in-law, Scipio, at the ſiege of Carthage, afterwards as Queſtor, under Mancinus in Spain, where the credit of his father, well known in that province, pointed him out to the natives as the only perſon with whom they would negociate in the treaty that enſued. The diſgrace he incurred in this tranſaction, gave him a diſtaſte to the military ſervice, and to foreign affairs. When he was called to account for it, the ſeverity he experienced from the Senate, and the protection he obtained from the People, filled his breaſt with an animoſity to the one, and a prepoſſeſſion in favour of the other *(d)*.

Actuated by theſe diſpoſitions, or by an idea not uncommon to enthuſiaſtic minds, that *the unequal diſtribution of property, ſo favourable to the rich, is an injury to the poor*; he now propoſed in part to remedy or to mitigate this ſuppoſed evil, by reviving the celebrated law of Licinius, by

(d) Cicero de Claris Oratoribus, c. 27.

which

which Roman citizens had been reſtrained from accumulating eſtates in land above the value of five hundred jugera (*e*), or from having more than one hundred of the larger cattle, and five hundred of the leſſer.

In his travels through Italy, he ſaid, he had obſerved that the property of land was beginning to be engroſſed by a few of the nobles, and that the country was entirely occupied by ſlaves to the excluſion of freemen: that the race of Roman citizens would ſoon be extinct (*f*), if proper ſettlements were not provided to enable the poor to ſupport their families, and to educate their children; and he alleged, that if eſtates in land were reduced to the meaſure preſcribed by law, the ſurplus left would then be ſufficient for this purpoſe.

Being determined, however, as much as poſſible, to prevent the oppoſition of the Nobles, and to reconcile the intereſt of both parties to his ſcheme, he propoſed to make ſome abatements in the rigour of the Licinian law, allowing every family, holding five hundred jugera in right of the father, to hold half as much in the right of every unemancipated ſon; and propoſed, that every perſon who ſhould ſuffer any diminution of his property in conſequence of the intended reform, ſhould have compenſation made to him; and that the ſum neceſſary for this purpoſe ſhould be iſſued from the treaſury.

In this manner he ſet out with an appearance of moderation, acting in concert with ſome leading men in the State and members of the Senate, ſuch as Appius Claudius, whoſe daughter he had married, a Senator of the family of Craſſus, who was then at the head of the prieſthood, and Mutius Scævola, the Conſul.

(*e*) Little more than half as many acres.
(*f*) Plutarch in Tib. Gracch.

To

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To complete the intended reformation, and to prevent for the future the accumulation of estates in land, the sale or commerce of land was from thenceforward to be prohibited; and three commissioners were to be annually named, to ensure the execution and regular observance of this law.

This project, however plausible, it is probable, was extremely unseasonable, and ill suited to the state of the commonwealth. The law of Licinius had passed in the year of Rome three hundred and seventy-seven, no more than fourteen years after the city was restored from its destruction by the Gauls, and about two hundred and fifty years before this date; and though properly suited to a small republic, and even necessary to preserve a democracy, was, in that condition of the People, received with difficulty, and was soon trespassed upon even by the person himself on whose suggestion it had been moved and obtained: that it was become obsolete, and gone into disuse, appeared from the abuses which were now complained of, and to which its renewal was proposed as a remedy. It was become in a great measure impracticable, and even dangerous in the present state of the republic. The distinctions of poor and rich are as necessary in States of considerable extent, as labour and good government. The poor are destined to labour, and the rich, by the advantages of education, independence, and leisure, are qualified for superior stations. The empire was now greatly extended, and owed its safety and the order of its government to a respectable aristocracy, founded on the possession of fortune, as well as personal qualities and public honours. The rich were not, without some violent convulsion, to be stript of estates which they themselves had bought, or which they had inherited from their ancestors. The poor were not qualified at once to be raised

to a ſtate of equality with perſons inured to a better condition. The project ſeemed to be as ruinous to government as it was to the ſecurity of property, and tended to place the members of the commonwealth, by one raſh and precipitate ſtep, in ſituations in which they were not at all qualified to act.

For theſe reaſons, as well as from motives of private intereſt affecting the majority of the nobles, the project of Tiberius was ſtrenuouſly oppoſed by the Senate; and from motives of envy, intereſt, or miſtaken zeal for juſtice, as warmly ſupported by the oppoſite party. At the ſeveral aſſemblies of the People which were called to deliberate on this ſubject, Tiberius, exalting the characters of freemen contraſted with ſlaves, diſplayed the copious and pathetic eloquence in which he excelled. All the free inhabitants of Italy were Romans, or nearly allied to this people. He obſerved how much, being ſupplanted by the ſlaves of the rich, they were diminiſhed in their numbers. He inveighed againſt the practice of employing ſlaves, a claſs of men that bring perpetual danger, without any addition of ſtrength to the public, and who are ever ready to break forth in deſperate inſurrections, as they had then actually done in Sicily, where they ſtill occupied the Roman arms in a tedious and ruinous war *(g)*.

In declaiming on the mortifications and hardſhips of the indigent citizen, he had recourſe to the arguments commonly advanced to explode the inequalities of mankind. "Every wild beaſt," he ſaid, "in this happy land has a cover or place of "retreat. But many valiant and reſpectable citi-"zens, who have expoſed their lives, and who "have ſhed their blood in the ſervice of their "country, have not a home to which they may re-

(g) Appian. de Bell. Civ.

"tire,

BOOK II.

"tire. They wander with their wives and their "children, ſtript of every poſſeſſion, but that of the "air and the light. To ſuch men the common "military exhortation, *to fight for the tombs of their "fathers, and for the altars of their houſehold gods*, "is a mockery and a lie. They have no altars; "they have no monuments. They fight and they "die to augment the eſtates, and to pamper the "luxury of a few wealthy citizens, who have en-"groſſed all the riches of the commonwealth. As "citizens of Rome, they are intitled *the maſters of "the world*, but poſſeſs not a foot of earth on which "they may reſt *(h)*."

He aſked, "whether it were not reaſonable to "apply what was public to public uſes? whether "a freeman were not preferable to a ſlave, a brave "man to a coward, and a fellow-citizen to a ſtran-"ger? He expatiated on the fortune, and ſtated "the future proſpects of the republic. Much," he ſaid, "ſhe had acquired, and had yet more to "acquire: that the People, by their deciſion in the "preſent queſtion were to determine, whether "they were, by multiplying their numbers, to en-"creaſe their ſtrength, and be in a condition to con-"quer what yet remained of the world? or, by "ſuffering the reſources of the whole People to get "into the hands of a few, they were to permit "their numbers to decline, and to become unable, "againſt nations envious and jealous of their pow-"er, even to maintain the ground they already had "gained?

"He exhorted the preſent proprietors of land, "whom the law of diviſion might affect, not to "withhold, for the ſake of a trifling intereſt to "themſelves, ſo great an advantage from their "country. He bade them conſider whether they "would not, by the ſecure poſſeſſion of five hun-

(*h*) Plutarch. in Vit. Tib. Gracch.

"dred

" dred jugera, and of half as much to each of " their children, be sufficiently rewarded for the " concessions now required in behalf of the pub- " lic; put them in mind that riches were merely " comparative; and that, in respect to this advan- " tage, they were still to remain in the first rank of " their fellow-citizens(*i*)".

By these and similar arguments he endeavoured to obtain the consent of one party, and to inflame the zeal of the other. But when he came to propose, that the law should be read, he found that his opponents had availed themselves of their usual defence; had procured M. Octavius, one of his own colleagues, to interpose with his negative, and to forbid any farther proceeding in the business. Here, according to the forms of the constitution, this matter should have dropped. The Tribunes were instituted to defend their own party, not to attack their opponents; and to prevent, not to promote innovations. Every single Tribune had a negative on the whole. But Tiberius, thus suddenly stopped in his career, became the more impetuous and confirmed in his purpose. Having adjourned the assembly to another day, he prepared a motion more violent than the former, in which he erased all the clauses by which he had endeavoured to soften the hardships likely to fall on the rich. He proposed, that, without expecting any compensation, they should absolutely cede the surplus of their possessions, as being obtained by fraud and injustice.

In this time of suspence, the controversy began to divide the colonies and free cities of Italy, and was warmly agitated wherever the citizens had extended their property. The rich and the poor took opposite sides. They collected their arguments, and they mustered their strength. The first

(*i*) Appian. de Bell. Civ.

BOOK II. had recourſe to the topics which are commonly employed on the ſide of preſcription, urging that, in ſome caſes, they had poſſeſſed their eſtates from time immemorial; and that the lands they poſſeſſed were become valuable, only in conſequence of the induſtry and labour which they themſelves had employed to improve them; that, in other caſes, they had actually bought their eſtates: that the public faith, under which they were ſuffered to purchaſe, was now engaged to protect and ſecure their poſſeſſion: that, in reliance on this faith, they had erected, on theſe lands, the ſepulchres of their fathers; they had pledged them for the dowries of their wives and the portions of their children, and mortgaged them as ſecurity for the debts they had contracted: that a law regulating or limiting the farther encreaſe or accumulation of property might be ſuffered; but that a law, having a retroſpect, and operating in violation of the rights, and to the ruin of ſo many families, was altogether unjuſt, and even impracticable in the execution.

The poor, on the contrary, pleaded their own indigence and their merits; urged that they were no longer in a capacity to fill the ſtation of Roman citizens or of freemen, nor in a condition to ſettle families or to rear children, the future hopes of the commonwealth: that no private perſon could plead immemorial poſſeſſion of lands which had been acquired for the public. They enumerated the wars which they themſelves, or their anceſtors, had maintained in the conqueſt of thoſe lands. They concluded, that every citizen was entitled to his ſhare of the public conqueſts; and that the arguments which were urged to ſupport the poſſeſſions of the nobles, only tended to ſhew how preſumptuous and inſolent ſuch uſurpations, if ſuffered to remain, were likely to become.

This mode of reaſoning appears plauſible; but it is dangerous to adopt by halves even reaſon itſelf.

ſelf. If it were reaſonable that every Roman citizen ſhould have an equal ſhare of the conquered lands; it was ſtill more reaſonable, that the original proprietors, from whom thoſe lands had been unjuſtly taken, ſhould have them reſtored. If, in this, the maxims of reaſon and juſtice had been obſerved, Rome would have ſtill been a ſmall community, and might have acted with ſafety on the principles of equality which are ſuited to a ſmall republic. But the Romans, becoming ſovereigns of a great and extenſive territory, muſt adopt the diſparities, and ſubmit to the ſubordinations, which mankind univerſally have found natural, and even neceſſary, to their government in ſuch ſituations.

Multitudes of people from all parts of Italy, ſome earneſtly deſirous to have the law enacted, others to have it ſet aſide, crowded to Rome to attend the deciſion of the queſtion; and Gracchus, without dropping his intention, as uſual, upon the negative of his colleague, only bethought himſelf how he might ſurmount, or remove this obſtruction.

Having hitherto lived in perſonal intimacy with Octavius, he tried to gain him in private; and having failed in this attempt, he entered into expoſtulations with him, in preſence of the public aſſembly; deſired to know, whether he feared to have his own eſtate impaired by the effects of the law; for, if ſo, he offered to indemnify him fully in whatever he might ſuffer by the execution of it: and being ſtill unable to ſhake his colleague, who was ſupported by the countenance of the Senate and the higher ranks of men in the State, he determined to try the force of his Tribunitian powers to compel him, laid the State itſelf under a general interdict, ſealed up the doors of the treaſury, ſuſpended the proceedings in the courts of the Præ-

 tors,

BOOK II. tors, and put a ſtop to all the functions of office in the city.

All the nobility and ſuperior claſs of the People went into mourning. Tiberius, in his turn, endeavoured to alarm the paſſions of his party; and believing, or pretending to believe, that he himſelf was in danger of being aſſaſſinated, had a number of perſons with arms to defend his perſon.

While the city was in this ſtate of ſuſpence and confuſion, the Tribes were again aſſembled, and Tiberius, in defiance of the negative of his colleague, was proceeding to call the votes, when many of the People, alarmed by this intended violation of the ſacred law, crowded in before the Tribe that was moving to ballot, and ſeized the urns. A great tumult was likely to ariſe. The popular party, being moſt numerous, were crowding around their leader, when two Senators, Manlius and Fulvius, both of conſular dignity, fell at his feet, embraced his knees, and beſeeched him not to proceed. Overcome with the reſpect that was due to perſons of this rank, and with the ſenſe of ſome impending calamity, he aſked, What they would have him to do? "The caſe," they ſaid, "is too arduous for us to decide; refer it to the Senate, and await their decree."

Proceedings were accordingly ſuſpended until the Senate had met, and declared a reſolution not to confirm the law. Gracchus reſumed the ſubject with the People, being determined either to remove, or to ſlight the negative of his colleague. He propoſed, that either the refractory Tribune, or himſelf, ſhould be immediately ſtript of his dignity. He deſired that Octavius ſhould put the queſtion firſt, Whether Tiberius Gracchus ſhould be degraded? This being declined as irregular and vain, he declared his intention to move in the aſſembly, on the following day, That Octavius ſhould be diveſted of the character of Tribune.

Hitherto

Hitherto all parties had proceeded agreeably to the laws and conſtitution of the commonwealth; but this motion, to degrade a Tribune, by whatever authority, was equally ſubverſive of both. The perſon and dignity of Tribunes, in order that they might be ſecure from violence, whether offered by any private perſon, public magiſtrate, or even by the People themſelves, were guarded by the moſt ſacred vows. Their perſons, therefore, during the continuance of their office, were ſacred; ſo long their character was indelible, and, without their own conſent, they could not be removed by any power whatever. CHAP. II.

The aſſembly, however, being met in conſequence of this alarming adjournment, Tiberius renewed his prayer to Octavius to withdraw his negative; but not prevailing in this requeſt, the Tribes were directed to proceed. The votes of ſeventeen were already given to *degrade*. In taking thoſe of the eighteenth, which would have made a majority, the Tribunes made a pauſe, while Tiberius embraced his colleague, and, with a voice to be heard by the multitude of the People, beſeeched him to ſpare himſelf the indignity, and others the regret, of ſo ſevere, though neceſſary, a meaſure. Octavius ſhook: but, obſerving the Senators who were preſent, recovered his reſolution, and bid Tiberius proceed as he thought proper. The votes of the majority were accordingly declared, and Octavius, reduced to a private ſtation, was dragged from the Tribunes bench, and expoſed to the rage of the populace. Attempts were made on his life, and a faithful ſlave, that endeavoured to ſave him, was dangerouſly wounded; but a number of the more reſpectable citizens interpoſed, and Tiberius himſelf was active in favouring his eſcape.

Lex Sempronia.

This obſtacle being removed, the act ſo long depending, for making a more equal diviſion of lands,

BOOK II. lands, was passed; and three commissioners, Tiberius Gracchus, Appius Claudius, his father-in-law, and his brother, Caius Gracchus, then a youth serving under Publius Scipio at the siege of Numantia, were named to carry the law into execution.

This act, as it concerned the interest of almost every inhabitant of Italy, immediately raised a great ferment in every part of the country. Persons holding considerable estates in land were alarmed for their property. The poor were elated with the hopes of becoming suddenly rich. If there was a middling class not to be greatly affected in their own situation, they still trembled for the effects of a contest between such parties. The Senate endeavoured to delay the execution of the law, withheld the usual aids and appointments given to the commissioners of the People in the ordinary administration of public trusts, and waited for a fit opportunity to suppress entirely this hazardous project. Parties looked on each other with a gloomy and suspicious silence. A person who had been active in procuring the Agrarian Law, having died in this critical juncture, his death was alleged to be the effect of poison administered by the opposite party. Numbers of the people, to countenance a report to this purpose, went into mourning; even Gracchus, affecting to believe a like design to be forming against himself, appeared, with his children and their mother, as suppliants in the streets, and implored the protection of the People. Still more to interest their passions in his safety, he published a list of the acts which he then had in view, all tending to gratify the People, or to mortify the Senate. Attalus, king of Pergamus, having, about this time, bequeathed his dominions and his treasure to the Romans, Gracchus procured an act to transfer the administration of this inheritance from the Senate to the People; and to distribute the

money found in the treaſury of Pergamus to the poorer citizens, the better to enable them to cultivate and to ſtock the lands which were now to be given them. He obtained another act to circumſcribe the power of the Senate, by joining the Equeſtrian order with the Senators in the nomination to juries, or in forming the occaſional tribunals of juſtice. CHAP. II.

Theſe, with the preceding attempts to aboliſh or to weaken the ariſtocratical part of the government, were juſtly alarming to every perſon who was anxious for the preſervation of the State. As the policy of this Tribune tended to ſubſtitute popular tumults for ſober councils and a regular magiſtracy, it gave an immediate proſpect of anarchy, which threatened to produce ſome violent uſurpation. The ſacred office which he ſo much abuſed, had ſerved, on occaſions, to check the caprice of the People, as well as to reſtrain the abuſe of the executive power. The late violation it had ſuffered, was likely to render it entirely unfit for the firſt of theſe purpoſes, and to make the Tribune an inſtrument to execute the momentary will of the People, or to make the continuance of his truſt depend upon his willingneſs to ſerve this purpoſe. Tiberius heard himſelf arraigned in the Forum, and in every public aſſembly, for the violation of the ſacred law. "If any of your colleagues," ſaid Titus Annius (whom he proſecuted for a ſpeech in the Senate), "ſhould interpoſe in my behalf, would "you have him alſo degraded?"

The people in general began to be ſenſible of the enormity they themſelves had committed, and Tiberius found himſelf under a neceſſity of pleading for the meaſure he had taken, after it had been carried into execution. The perſon of the Tribune, he obſerved, was ſacred; becauſe it was conſecrated by the People, whom the Tribunes repreſented; but if the Tribune, inconſiſtent with his character,

BOOK II. character, ſhould injure where he was appointed to protect, ſhould weaken a claim he was appointed to enforce, and withhold from the People that right of deciſion which he was appointed to guard, the Tribune, not the People, was to blame for the conſequences.

"Other crimes," he ſaid, "may be enormous, "yet may not deſtroy the eſſence of the Tribunitian character. An attempt to demoliſh the Capitol, or to burn the fleets of the republic, "might excite an univerſal and juſt indignation, "without rendering the perſon of the Tribune "who ſhould be accuſed of them leſs ſacred. But "an attempt to take away the power by which "his own office ſubſiſts, and which is centered in "himſelf only for the better exertion of that power, is a voluntary and criminal abdication of "the truſt. What is the Tribune but the officer "of the People? Strange! that this officer may, "by virtue of authority derived from the People, "drag even the Conſul himſelf to priſon, and yet "that the People themſelves cannot depoſe their "own officer, when he is about to annul the authority by which he himſelf is appointed.

"Was ever authority more ſacred than that of "king? It involved in itſelf the prerogatives of "every magiſtrate, and was likewiſe conſecrated "by holding the prieſthood of the immortal gods. "Yet did not the people baniſh Tarquin? and "thus, for the offence of one man, aboliſh the "primitive government, under the auſpices of "which the foundations of this city were laid.

"What more ſacred at Rome than the perſons "of the Veſtal Virgins, who have the cuſtody of "the holy fire? Yet are they not for ſlight offences ſometimes buried alive? Impiety to the "gods being ſuppoſed to cancel a title which reverence to the gods had conferred, muſt not

"injuries

" injuries to the People suppress an authority which " a regard to the People has constituted?

" That person must fall, who himself removes " the base on which he is supported. A majority " of the Tribes creates a Tribune: Cannot the " whole depose? What more sacred than the " things which are dedicated at the shrines of the " immortal gods? yet these the People may em- " ploy or remove at pleasure. Why not transfer " the Tribunate, as a consecrated title, from one " person to another? May not the whole People, " by their sovereign authority, do what every " person in this sacred office is permitted to do, " when he resigns or abdicates his power by a " simple expression of his will."

These specious arguments tended to introduce the plea of necessity where there was no foundation for it, and to set the sovereign power, in every species of government, loose from the rules which itself had enacted. Such arguments accordingly had no effect where the interest of the parties did not concur to enforce them. Tiberius saw his credit on the decline. He was publicly menaced with impeachment, and had given sufficient provocation to make him apprehend that, upon the expiration of his office, some violence might be offered to himself (*k*). His person was guarded only by the sacred character of the Tribune. The first step he should make in the new character he was to assume, as commissioner for the division of lands, was likely to terminate his life. He resolved, if possible, to take shelter in the Tribunate another year, and to procure this favour from the People, gave farther expectations of popular acts; of one to shorten the term of military service, and of another to grant an appeal to the People from the courts of justice lately established.

(*k*) Orosius, lib. v. c. 8.

The

BOOK II. The Senate, and every citizen who profeſſed a regard to the conſtitution, were alarmed. This attempt, they ſaid, to perpetuate the Tribunitian power in the ſame perſon, tends directly to tyranny. The uſurper, with the lawleſs multitude that ſupports him, muſt ſoon expel from the public aſſemblies every citizen who is inclined to moderation; and together with the property of our lands, to which they already aſpire, make themſelves maſter of the State. Their leader, it ſeems, like every other tyrant, already thinks that his ſafety depends upon the continuance of his power.

In this feveriſh ſtate of ſuſpence and anxiety, great efforts were made to determine the elections. The time of chooſing the Tribunes was now faſt approaching: Roman citizens, diſperſed on their lands throughout Italy, were engaged in the harveſt, and could not repair to the city. On the day of election the aſſembly was ill attended, eſpecially by thoſe who were likely to favour Tiberius. He being rejected by the firſt Tribes that moved to the ballot, his friends endeavoured to amuſe the aſſembly with forms, and to protract the debates, till obſerving that the field did not fill, nor the appearance change for the better, they moved to adjourn to the following day.

In this receſs Tiberius put on mourning, went forth to the ſtreets with his children, and, in behalf of hapleſs infants, that might already be conſidered as orphans, on the eve of loſing their parent in the cauſe of freedom, implored the protection of the People; gave out that the party of the rich, to hinder his being re-elected, had determined to force their way into his houſe in the night, and to murder him. Numbers were affected by theſe diſmal repreſentations: a multitude crowded to his doors, and watched all night in the ſtreets.

On the arrival of morning and the approach of the aſſembly, the declining appearance of his affairs

fairs ſuggeſted preſages; and the ſuperſtition of the times has furniſhed hiſtory with the omens, by which himſelf and his friends were greatly diſmayed. He, nevertheleſs, with a crowd of his partizans, took his way to the Capitol, where the People had been appointed to aſſemble. His attendants multiplied; and numbers from the aſſembly deſcended the ſteps to meet him. Upon his entry a ſhout was raiſed, and his party appeared ſufficiently ſtrong, if not to prevail in their choice, perhaps by their violence to deter every citizen of a different mind from attending the election.

A choſen body took poſt round the perſon of Tiberius, with direction to ſuffer no ſtranger to approach him. A ſignal was agreed upon, in caſe it were neceſſary to employ force. Mean time the Senators, on their part, were haſtily aſſembled in the Temple of Faith, in anxious deliberations on the meaſures to be followed.

When the firſt tribe delivered their votes, a confuſion aroſe among the People. Numbers from the more diſtant parts of the aſſembly began to preſs forward to the centre. Among others, Fulvius Flaccus, a Senator yet attached to Tiberius, being too far off to be heard, beckoned with his hand that he would ſpeak with the Tribunes. Having made his way through the multitude, he informed Tiberius, that a reſolution was taken in the Senate to reſiſt him by force; and that a party of Senators, with their clients and ſlaves, was arming againſt his life. All who were near enough to hear this information, took the alarm, ſnatched the ſtaves from the officers that attended the Tribunes, and tucked up their robes as for immediate violence. The alarm ſpread through the aſſembly, and many called out to know the cauſe, but no diſtinct accounts could be heard. Tiberius, having in vain attempted to ſpeak, made a ſign, by

waving

BOOK II. waving his hand round his head, that his life was in danger. This ſign, together with the hoſtile and menacing appearances that gave riſe to it, being inſtantly reported in the Senate, and interpreted as a hint given to the People, that it was neceſſary he ſhould be crowned, or that he ſhould aſſume the ſovereignty, the Senate immediately reſolved, in a form that was uſual on alarming occaſions, that the Conſul ſhould provide for the ſafety of the State. This reſolution was ſuppoſed to confer a dictatorial power, and was generally given when immediate execution or ſummary proceedings were deemed to be neceſſary, without even ſufficient time for the formalities obſerved in naming a Dictator. The Conſul Mucius Scævola, who had been in concert with Tiberius in drawing up the firſt frame of his law, but who probably had left him in the extremes to which he afterwards proceeded; on the preſent occaſion, however, declined to employ force againſt a Tribune of the People, or to diſturb the Tribes in the midſt of their legal aſſembly. "If they ſhall come," he ſaid, "to any violent or illegal determination, I "will employ the whole force of my authority to "prevent its effects."

In this expreſſion of the Conſul there did not appear to the audience a proper diſpoſition for the preſent occaſion. The laws were violated: A deſperate party was prepared for any extremes: All ſober citizens, and even many of the Tribunes, had fled from the tumult: The prieſts of Jupiter had ſhut the gates of their temple: The laws, it was ſaid, ought to govern; but the laws cannot be pleaded by thoſe who have ſet them aſide, and they are no longer of any avail, unleſs they are reſtored by ſome exertion of vigour, fit to counteract the violence that has been offered to them. "The Conſul," ſaid Scipio Naſica, "deſerts the "republic; let thoſe who wiſh to preſerve it, fol-

"low

" low me." The Senators inſtantly aroſe, and moving in a body, which encreaſed as they went, by the concourſe of their clients, they ſeized the ſhafts of the faſces, or tore up the benches in their way, and, with their robes wound up, in place of ſhields, on their left arm, broke into the midſt of the aſſembly of the People.

Tiberius, ſurrounded by a numerous multitude, found his party unable to reſiſt the awe with which they were ſtruck by the preſence of the Senate and Nobles. The few who reſiſted were beat to the ground. He himſelf, while he fled, being ſeized by the robe, ſlipped it from his ſhoulders and continued to fly; but he ſtumbled in the crowd, and, while he attempted to recover himſelf, was ſlain with repeated blows. His body, as being that of a tyrant, together with the killed of his party, amounting to about three hundred, as accomplices in a treaſonable deſign againſt the republic, were denied the honours of burial, and thrown into the river. Some of the moſt active of his partiſans that eſcaped, were afterwards cited to appear, and were outlawed or condemned.

Thus, in the heats of this unhappy diſpute, both the Senate and the People had been carried to acts of violence that inſulted the laws and conſtitution of their country. This conſtitution was by no means too ſtrict and formal to contend with ſuch evils; for, beſides admitting a general latitude of conduct ſcarcely known under any other political eſtabliſhment, it had provided expedients for great and dangerous occaſions, which were ſufficient to extricate the commonwealth from greater extremities than thoſe to which it had been reduced in the courſe of this unfortunate conteſt.

The People, when reſtrained from their object by the negative of one of their Tribunes, had only to wait for the expiration of his office, when, by a new election, they might ſo model the college as

to

BOOK II. to be ſecure of its unanimous conſent in the particular meaſures to which they were then inclined. The precipitant violation of the ſacred law, a precedent which, if followed, muſt have rendered the Tribunes mere inſtruments of popular violence, not bars to reſtrain oppreſſion, filled the minds of the People with remorſe and horror, and gave to the Senate and Nobles a dreadful apprehenſion of what they were to expect from a party capable of ſuch a profane and violent extreme.

The policy of Tiberius Gracchus on the other hand, the laws he had obtained, his own re-election to ſecure the execution, and the ſequel of his plan, ſeemed to threaten the republic with diſtraction and anarchy, likely to end in his own uſurpation, or in that of ſome more artful demagogue. But even under theſe gloomy expectations, the Senate could, by naming a Dictator, or by the commiſſion which they actually gave to the Conſul, have recourſe to a legal preventive, and might have repelled the impending evil by meaſures equally deciſive and powerful, though more legal than thoſe they employed. But the Conſul, it ſeems, was ſuſpected of connivance with the oppoſite party, had received his own commiſſion coldly, and could not be entruſted with the choice of a Dictator.

In theſe extremities, the violent reſolution that was taken by the Senate appears to have been neceſſary; and probably for the preſent ſaved the republic; preſerved it indeed, not in a ſound, but in a ſickly ſtate, and in a fever, which, with ſome intermiſſions, at every return of ſimilar diſorders, threatened it with the diſſolution and ruin of its whole conſtitution.

The diſorders that ariſe in free States which are beginning to corrupt, generally furniſh very difficult queſtions in the caſuiſtry of politicians. Even the ſtruggles of virtuous citizens, becauſe they do

not

not prevent, are ſometimes ſuppoſed to haſten, the ruin of their country. The violence of the Senate, on this occaſion, was by many conſidered with averſion and horror. The ſubverſion of government; that was likely to have followed the policy of Gracchus, becauſe it did not take place, was overlooked; and the reſtitution of order, effected by the Senate, appeared to be a tyranny eſtabliſhed in blood. The Senators themſelves were ſtruck with ſome degree of remorſe, and, what is dangerous in politics, took a middle courſe between the extremes. They were cautious not to inflame animoſities, by any immoderate uſe of their late victory, nor by any immediate oppoſition to the execution of the popular law. They wiſhed to atone for the violences lately committed againſt the perſon of its author; they permitted Fulvius Flaccus and Papirius Carbo, two of the moſt daring leaders of the popular faction, to be elected commiſſioners for the execution of the Agrarian law, in the room of Tiberius and Appius Claudius, of whom the latter alſo died about this time; and, in order to ſtifle animoſities and reſentments, conſented that, under pretence of an embaſſy to Pergamus, Scipio Naſica ſhould be removed from Rome. In conſequence of this commiſſion, this illuſtrious citizen, the lineal deſcendant of one of the Scipios who periſhed in Spain in the time of the ſecond Punic war, himſelf an ornament to the republic, died in a ſpecies of exile, though under an honourable title.

In the midſt of ſuch agitations, foreign affairs were likely to be much overlooked. They proceeded, however, under the conduct of the officers to whom they were entruſted, with the uſual ſucceſs; and the Senate, having the reports made nearly about the ſame time, of the pacification of Luſitania, the deſtruction of Numantia, and the reduction and puniſhment of the ſlaves in Sicily,

named

named commiſſioners to act in conjunction with the generals commanding in thoſe ſeveral ſervices, in order to ſettle their provinces.

Brutus and Scipio had their ſeveral triumphs; one with the title of Galaicus, for having reduced the Gallicians; the other, ſtill preferring the title of Africanus to that of Numantinus, which was offered to him for the ſack of Numantia.

The arrival of this reſpectable citizen was anxiouſly looked for by all parties, more to know what judgment he might paſs on the late operations at Rome, than on account of the triumph he obtained over enemies once formidable to his country. He was the near relation of Gracchus, and might, under pretence of revenging the death of that demagogue, have put himſelf at the head of a formidable party. He was himſelf perſonally reſpected and beloved by numbers of the citizens, who had carried arms under his command, who were recently arrived in Italy crowned with victory, and who might poſſibly, under pretence of vindicating the rights of the People, employ their arms againſt the republic. But the time of ſuch criminal views on the commonwealth was not yet arrived. Scipio already, upon hearing the fate of Gracchus, had expreſſed, in ſome words that eſcaped him, his approbation of the Senate's conduct. "So may "every perſon periſh," he ſaid, "who ſhall dare "to commit ſuch crimes (*l*)." Soon after his arrival from Spain, Papirius Carbo, the Tribune, called upon him aloud, in the aſſembly of the People, to declare what he thought of the death of Gracchus. "I muſt think," he ſaid, "that if Gracchus meant to overturn the government of his "country, his death was fully merited." This declaration the multitude interrupted with murmurs

(*l*) Plutarch. in Vit. Tiberii Gracchi.

of

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of aversion and rage. Upon which Scipio raising his tone, expressed the contempt under which it seems that the populace of Rome had already fallen. "I have been accustomed," he said, "to "the shout of warlike enemies, and cannot be affected by your dastardly cries." Then alluding to the number of enfranchised slaves that were enrolled with the Tribes of the city, upon a second cry of displeasure, he continued, "Peace, ye "aliens and step-children of Italy (*m*). You are "now free, but many of you I have brought to "this place in fetters, and sold at the halbert for "slaves." Some were abashed by the truth, and all by the boldness of this contemptuous reproach, and shewed that popular assemblies, though vested with supreme authority, may be sometimes insulted, as well as courted, with success.

The part which Scipio took on this occasion was the more remarkable, that he himself was to be reckoned among the poorer citizens, and might have been a gainer by the rigorous execution of the Licinian law. His whole inheritance, according to Pliny, amounted to thirty-two pounds, or three hundred and twenty ounces of silver, which might be now valued at about two hundred and eighty pounds sterling.

Lex Papiria. Tabellaria Tertia.

Papirius Carbo spent the year of his Tribunate in fomenting the animosity of the People against the Senate, and in promoting dangerous innovations. He obtained a law, by which the votes of the People, in questions of legislation as well as election (*n*), and the opinions of the judges in determining causes, were to be taken by ballot.

He was less successful in the motion he made for a law to enable the same person to be repeatedly chosen into the office of Tribune. He was support-

(*m*) Velleius Paterculus, lib. ii. c. 4.
(*n*) Cic. de Legibus, lib. iii.

BOOK II. ed in this motion by Caius Gracchus; opposed by Scipio, Lælius, and the whole authority of the Senate (o), who dreaded the perpetuating in any one person a power, which the sacredness of the character, and the attachment of the populace, rendered almost sovereign and irresistible.

While the interests of party were exerted in these several questions at home, the State was laying the foundation of new quarrels abroad, and opening a scene of depredation and conquest in what was then the wealthiest part of the known world. Soon after the death of Attalus, king of Pergamus, who had bequeathed his kingdom to the Romans, Aristonicus, his natural brother, being the illegitimate son of Eumenes, made pretensions to the throne of Pergamus, and was supported by a powerful party among the people. The Romans did not fail to maintain their right: Crassus, one of the Consuls of the preceding year, had been sent with an army
U. C. 622. into Asia for that purpose, but in his first encounter with Aristonicus was defeated and taken. He was afterwards killed while a captive in the hands of the enemy; having intentionally provoked one of his guards to lay violent hands on him, and thus ended a life which he thought was dishonoured by his preceding defeat.

The following year, the Consul Perperna being sent on this service, and having, with better fortune than Crassus, defeated and taken Aristonicus, got possession of the treasure and kingdom of Attalus, but died in his command at Pergamus. From this time the Romans took a more particular concern than formerly in the affairs of Asia. They employed Scipio Emilianus, with Sp. Mummius, and L. Metellus, on a commission of observation to that country. We are told that the equipage of Scipio upon this occasion consisted of seven slaves; and

(o) Cic. de Amicitia.

this,

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this, as a mark or characteriſtic of the times, is perhaps more intereſting than any thing elſe we could be told of the embaſſy. The object of the commiſſion appears to have related to Egypt as well as to Aſia (*p*), though there was not any power in either that ſeemed to be in condition to alarm the Romans. Ptolemy Euergates had ſucceeded to the throne of Egypt, but was expelled by the people of Alexandria. Antiochus, king of Syria, had been recently engaged in a very unſucceſsful war with the Parthians; and it had not yet appeared how far it concerned the Romans to obſerve the king of Pontus, or to conſider of the meaſures to be taken againſt him for the ſecurity of their poſſeſſions in Aſia.

In whatever degree the Roman embaſſy found worthy objects of attention in the ſtate of the Aſiatic powers, matters were haſtening in Italy to a ſtate of great diſtraction and ferment, on account of the violence with which the Agrarian law was put in execution by Papirius Carbo, Fulvius Flaccus, and Caius Gracchus, the commiſſioners appointed for this purpoſe. As the law authoriſed them to call upon all perſons poſſeſſed of public lands to evacuate them, and ſubmit to a legal diviſion; they, under this pretence, brought into queſtion all the rights of property throughout Italy, and took from one and gave to another as ſuited their pleaſure; ſome ſuffered the diminution of their eſtates with ſilent rage; others complained that they were violently removed from lands which they had cultivated, to barren and inhoſpitable ſituations; even they who were ſuppoſed to be favoured, complained of the lots they received. Many were aggrieved, none were ſatisfied.

Moved by the repreſentations which were made of theſe abuſes, Scipio, at his return from Aſia,

(*p*) Valerius Maximus, lib. iv. c. 3.

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made an harangue in the Senate, by which he drew upon himſelf an invective from Fulvius, one of the commiſſioners. He did not propoſe to repeal the law, but that the execution of it ſhould be taken out of the hands of ſo pernicious a faction, and committed to the Conſul Sempronius Tuditanus, who remained in the adminiſtration of affairs in Italy, while his colleague Aquilius had gone to Aſia to finiſh the tranſaction in the conduct of which Perperna died.

It is mentioned that Scipio, in this ſpeech to the Senate, complained of inſults and threats to his own perſon, which induced all the members, with a great body of the more reſpectable citizens, to attend him in proceſſion to his own houſe. Next morning he was found dead in his bed (*q*); and, notwithſtanding the ſuſpicions of violence tranſmitted by different authors, nothing certain appears upon record; and no inqueſt was ever made to diſcover the truth of theſe reports. This illuſtrious citizen, notwithſtanding his ſervices, had incurred ſo much the diſpleaſure of the People, that he had not the honours of a public funeral. If he had not died at this critical time, the Senate, it was ſuppoſed, meant to have named him Dictator, for the purpoſe of purging the State of the evils with which it was now oppreſſed.

The occaſion, however, was not ſufficient to make the Senate perſiſt in their intention to name a Dictator; nor is there any thing material recorded as having happened during a few of the following years. Quintus Cæcilius Metellus Macedonicus, and Quintus Pompeius, were Cenſors; both of Plebeian extraction; of which this is recorded as the firſt example. Metellus, at the Cenſus, made a memorable ſpeech, in which he recommended marriage, the eſtabliſhment of families, and the

(*q*) Cic. de Amicitia.

rearing

rearing of children. This ſpeech being preſerved, will recur to our notice again, being read by Auguſtus in the Senate, as a leſſon equally applicable to the age in which he lived.

The people who were fit to carry arms, as appeared at their enrolment, amounted to three hundred and ſeventeen thouſand eight hundred and twenty-three. But what is moſt memorable in the tranſactions of this muſter, was the diſgrace of Caius Attinius Labeo, who, being ſtruck off the rolls of the Senate by Metellus, afterwards became Tribune of the People; and, by the difficulty with which the effect of his unjuſt revenge came to be prevented, ſhowed the folly of making the will of any officer ſacred, in order to reſtrain the commiſſion of wrongs.

Metellus, in returning from the country, about noon, while the market-place was thin of people, found himſelf ſuddenly apprehended by this vindictive Tribune, and ordered to be thrown immediately from the Tarpeian Rock. The People aſſembled in crowds, were ſenſible of the Tribune's breach of the ſacred truſt repoſed in him; and, accoſting Metellus by the name of Father, lamented his fate: but, unleſs another Tribune could be found to interpoſe in his favour, there was no other power in the commonwealth that could, without ſuppoſed profanation, interrupt a Tribune even in the commiſſion of a crime. Metellus ſtruggled to obtain a delay, was overpowered and dragged through the ſtreets, while the violence he ſuffered made the blood to ſpring from his noſtrils. A Tribune was with difficulty found in time to ſave his life; but Attinius having, with a lighted fire and other forms of conſecration, devoted his eſtate to ſacred

BOOK II. sacred uses, it is alleged that he never recovered it (*r*).

Such was the weak state to which the government was reduced by the late popular encroachments, that this outrageous abuse of power was never punished; and such the moderation of this great man's family, that though he himself lived fifteen years in high credit after this accident, saw his family raised to the highest dignities, and was carried to his grave by four sons, of whom one had been Censor, two had triumphed, three had been Consuls, and the fourth, then Prætor, was candidate for the Consulate, which he obtained in the following year; yet no one of this powerful family chose to encrease the disturbances of the commonwealth, by attempting to revenge the outrage which their father had suffered (*s*).

Lex Attinia. Caius Attinius is mentioned as being the person who obtained the admission of the Tribunes, in right of their office, as members of the Senate (*t*).

The Consul Sempronius, though authorised by the Senate to restrain the violence of the commissioners who were employed in the execution of the Agrarian Law, declined that hazardous business, and chose rather to encounter the enemy in the province of Istria, where he made some conquests and obtained a triumph.

In the same turbulent times lived Pacuvius, the tragic poet, and Lucilius, inventor of the satire. The latter, if we suppose him to be the same whose name is found in the list of Questors, was a per-

(*r*) Plin. lib. vii. c. 44. Cicero, in pleading to have his house restored to him, though devoted to sacred uses, states the form of consecration in the case of Metellus, but denies the effect of it. Pro domo sua, c. 47.

(*s*) Plin. lib. vii. c. 44.

(*t*) A. Gellius, lib. xiv. c. 8.

son

ſon of rank, and moved in the line of political preferment. CHAP. II.

Hiſtorians mention a dreadful eruption of Mount Ætna, the effect of ſubterraneous fires, which ſhaking the foundations of Sicily and the neighbouring iſlands, gave exploſions of flame, not only from the crater of the mountain, but likewiſe from below the waters of the ſea, and forced ſudden and great inundations over the iſlands of Liparé and the neighbouring coaſts.

CHAP.

CHAP. III.

State of the Italian Allies, and the views which now began to be conceived by them.—Appearance of Caius Gracchus.—Resolution to purge the City of Aliens.—Consulate and factious Motions of Fulvius Flaccus.—Conspiracy of Frigellæ suppressed.—Caius Gracchus returns to Rome.—Offers himself Candidate for the Tribunate.—Address of Cornelia.—Tribunate and Acts of Caius Gracchus.—Re-election.—Proposal to admit the Inhabitants of Italy on the Rolls of Roman Citizens.—Popular Acts of Gracchus and Livius.—The Senate begin to prevail.—Death of Caius Gracchus and Fulvius.

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THE eruption of Mount Etna, and the other particulars relating to the natural history of Italy, with the mention of which we concluded our last Chapter, were considered as prodigies, and as the presages of evils which were yet to afflict the republic. At this time indeed the State of Italy seemed to have received the seeds of much trouble, and to contain ample materials of civil combustion.
U. C. 627. The citizens, for whom no provision had been made at their return from military service, or who thought themselves partially dealt with in the colonies, the leaders of tumult and faction in the city, were now taught to consider the land-property of Italy, as their joint inheritance. They were, in imagination, distributing their lots, and selecting their shares.

In the mean time, the inhabitants of the Municipia, or free towns, and their districts, who, not being citizens, served the State as allies, had reason to dread the rapacity of such needy and power-

ful masters. They themselves likewise began to repine under the inequality of their condition. They observed, that while they were scarcely allowed to retain the possessions of their ancestors, Rome, aided by their arms, had gained that extensive dominion, and obtained that territory, about which the poor and the rich were now likely to quarrel among themselves. "The Italian allies," they said, "must bleed in this contest, no less than they had done in the foreign or more distant wars of the commonwealth." They had been made, by the professions of Tiberius Gracchus, to entertain hopes that every distinction in Italy would soon be removed, that every freeman in the country would be enrolled as a citizen of Rome, and be admitted to all the powers and pretensions implied in that designation. The consideration of this subject, therefore, could not be long delayed; and the Roman Senate, already struggling with attacks of their fellow citizens, had an immediate storm to apprehend from the allies.

The revolutions of the State had been so frequent, and its progress from small beginnings to a great empire, had been so rapid, that the changes to which men are exposed, and the exertions of which they are capable, no where appear so conspicuous, or are so distinctly marked.

In the first ages the political importance of a Roman citizen appears not to have been felt or understood. Conquered enemies were removed to Rome, and their captivity consisted in being forced to be Romans, to which they submitted with great reluctance. It is not to be doubted that every foreigner was welcome to take his place as a Roman citizen in the assembly of the People; that many were admitted into the Senate (*a*), and some even

(*a*) The Claudian family were aliens, and an alien from Tarquinii.

on

BOOK II. on the throne (*b*). It is likely alſo, that the firſt colonies conſidered themſelves as detached from the city of Rome, and as forming cantons apart; for we find them, like the other States of Italy, occaſionally at war with the Romans.

But when the ſovereignty of Italy came to be eſtabliſhed at Rome, and was there actually exerciſed by the collective body of the People, the inhabitants of the colonies, it is probable, laid claim to their votes in elections, and preſented themſelves to be inrolled in the Tribes. They felt their conſequence and their ſuperiority over the Municipia, or free towns in their neighbourhood, to whom, as a mark of diſtinction and an act of munificence, ſome remains of independence had been left. Even in this ſtate, the rolls of the People had been very negligently compiled, or preſerved. The Kings, the Conſuls, the Cenſors, who were the officers, in different ages of the State, entruſted with the muſters, admitted on the rolls ſuch as preſented themſelves, or ſuch as they choſe to receive. One Conſul invited all the free inhabitants of Latium to poll in the aſſemblies of the People; another rejected them, and in time of elections forbid them the city. But notwithſtanding this prohibition, aliens that were brought to Rome on a foot of captivity, were ſuffered by degrees to mix with the citizens (*c*). The inhabitants of the free towns, removing to Rome upon any creditable footing, found eaſy admiſſion on the rolls of ſome tribe. The towns complained they were depopulated. The Romans endeavoured to ſhut the gates of their city by repeated ſcrutinies, and the prohibition of ſurreptitious enrolments: but in vain. The practice ſtill continued, and the growing privilege, diſtinction, and eminence of a Roman citizen made that title

(*b*) Tarquinius Priſcus was of Greek extraction.
(*c*) This happened particularly in the caſe of the Campanians.

become

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become the great object of individuals, and of entire cantons. It had already been bestowed upon districts whose inhabitants were not distinguished by any singular merit with the Roman State. In this respect all the allies were nearly equal; they had regularly composed at least one half in every Roman army, and had borne an equal share in all the dangers and troubles of the commonwealth; and, from having valued themselves of old on their separate titles and national distinctions, they began now to aspire to a share in the sovereignty of the empire, and wished to sink for ever their provincial designations under the general title of Romans.

Not only the great power that was enjoyed in the assembly of the People, and the serious privileges that were bestowed by the Porcian law, but even the title of citizen in Italy, of legionary soldier in the field, and the permission of wearing the Roman gown, were now ardently coveted as marks of dignity and honour. The city was frequented by persons who hoped separately to be admitted in the Tribes, and by numbers who crowded from the neighbouring cantons, on every remarkable day of assembly, still flattering themselves, that the expectations which Gracchus had raised on this important subject might soon be fulfilled.

In this state of affairs, the Senate authorized Junius Pennus, one of the Tribunes, to move the People for an edict to prohibit, on days of election or public assembly, this concourse of aliens, and requiring all the country towns in Italy to lay claim to their denizens, who had left their own corporations to act the part of citizens at Rome.

U. C. 627. Consuls; M. Emilius Lepidus, L. Aurelius Orestes.

On this occasion, Caius Gracchus, the brother of the late unfortunate Tribune, stood forth, and made one of the first appearances, in which he showed the extent of his talents, as well as the party he was

BOOK II. was likely to eſpouſe in the commonwealth. This young man, being about twenty years of age when the troubles raiſed by his elder brother had ſo much diſturbed the republic, and when they ended ſo fatally for himſelf, had retired upon that cataſtrophé from the public view, and made it uncertain whether the fate of Tiberius might not deter him, not only from embracing like dangerous counſels, but even from entering at all on the line of political affairs. His retirement, however, he ſpent in ſuch ſtudies as were then come into repute, on account of their importance, as a preparation for the buſineſs of the courts of juſtice, of the Senate, and of the popular aſſemblies; and the firſt appearance he made gave evidence of the talents he had acquired for theſe ſeveral departments. His parts ſeemed to be quicker, and his ſpirit more ardent, than that of his elder brother; and the people conceived hopes of having their pretenſions revived, and more ſucceſsfully conducted, than under their former leader. The cauſe of the country towns, in which he now engaged, was ſpecious, and tended to form a new, a numerous, and a formidable party in Italy, likely to join in every factious attempt which might throw the public into diſorder, and make way for the promiſcuous admiſſion of aliens on the rolls of the People. This cauſe, however, was fraught with ſo much confuſion to the State, and tended ſo much to leſſen the political conſequence of thoſe who were already citizens, that the argument in favour of the reſolution to purge the city of aliens prevailed, and an act to that purpoſe accordingly was paſſed (*d*) in the aſſembly of the People.

It deſerves to be recorded, that amidſt the inquiries ſet on foot in conſequence of this edict, or about this time, Perperna, the father of a late

(*d*) Sextus Pompeius Feſtus in voce Republica. Cicero in Bruto in Officiis, lib. iii.

Conſul,

Conſul (*e*), was claimed by one of the Italian corporations, and found not to have been a citizen of Rome. His ſon, whom we have already mentioned, having vanquiſhed and taken Ariſtonicus, the pretended heir of Attalus, died in his command at Pergamus; and he is accordingly ſaid to have been a rare example of the caprice of fortune, in having been a Roman Conſul, though not a Roman citizen. This example may confirm what has been obſerved of the latitude which officers took in conducting the Cenſus.

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The fires of ſedition which had ſometime preyed on the commonwealth were likely to break out with encreaſing force upon the promotion of Fulvius Flaccus to the dignity of firſt magiſtrate. This factious citizen had blown up the flame with Tiberius Gracchus, and having ſucceeded him in the commiſſion for executing the Agrarian law, never failed to carry the torch wherever matter of inflammation or general combuſtion could be found. By his merit with the popular party he had attained his preſent eminence, and was determined to preſerve it by continuing his ſervices. He began the functions of his office by propoſing a law to communicate the right of citizens to the allies or free inhabitants of Italy; a meaſure which tended to weaken the power of the Senate, and to encreaſe the number of citizens greatly beyond what could be aſſembled in one collective body. Having failed in this attempt, he ſubſtituted a propoſal in appearance more moderate, but equally dangerous, That whoever claimed the right of citizen, in caſe of being caſt by the Cenſors, who were the proper judges, might appeal to the People (*f*). This would have conferred the power of naturalization on the popular leaders; and the danger of ſuch

U. C. 628. M. Plautius Hipſius, M. Fulvius Flaccus.

Leges Fulviæ.

(*e*) Valerius Maximus, lib. iii. c. 4.
(*f*) Appian. de Bell. Civ. lib. 1.

a meaſure

BOOK II. a meaſure called upon the Senate to exert its authority and influence in having this motion alſo rejected.

When the Conſul appeared to be fairly entered on his career, and, by uniting the power of the ſupreme magiſtracy with that of a commiſſioner for dividing the property of lands, was likely to break through all the forms which had hitherto retarded the execution of the Agrarian law, he was with difficulty perſuaded to aſſemble the Senate, and to take his place. The whole body joined in repreſentations againſt theſe dangerous meaſures, and in a requeſt that he would withdraw his motions. To theſe applications he made no reply (*g*); but an occaſion ſoon offered, by which the Senate was enabled to divert him from his purpoſe. A deputation arrived from Marſeilles, then in alliance with Rome, to intreat the ſupport of the republic againſt the Salyii, a neighbouring nation, who had invaded their territories. The Senate gladly embraced this opportunity to find a foreign employment for the Conſul, decreed a ſpeedy aid to the city of Marſeilles, and appointed M. Fulvius Flaccus to that ſervice. Although this incident marred or interrupted for the preſent his political deſigns, yet he was induced, by the hopes of a triumph, to accept of the command which offered, and, by his abſence, to relieve the city for a while from the alarms which he had given. Caius Gracchus too was gone in the capacity of Proquæſtor to Sardinia; and the Senate, if they could by any pretences have kept thoſe unquiet ſpirits at a diſtance, had hopes of reſtoring the former order of the commonwealth.

In this interval ſome laws are ſaid to have paſſed reſpecting the office and conduct of the Cenſors. The particulars are not mentioned; but the object

(*g*) Val. Max. lib. ix. c. 5.

probably

probably was, to render the magiſtrate more cir-cumſpect in the admiſſion of thoſe who claimed to be numbered as citizens. Such was likely to be the policy of the Senate, in the abſence of demagogues, who, by propoſing to admit the allies on the rolls of the People, had awakened dangerous pretenſions in every corner of Italy. It ſoon appeared how ſeriouſly theſe pretenſions were adopted by the country towns; for the inhabitants already beſtirred themſelves, and were beginning to deviſe how they might extort by force what they were not likely to obtain with conſent of the original denizens of Rome. A ſuſpicion having ariſen of ſuch treaſonable concerts forming at Fregellæ, the Prætor Opimius had a ſpecial commiſſion to inquire into the matter, and to proceed as he ſhould find the occaſion required. Having ſummoned the chief magiſtrate of the place to appear before him, he received, upon a promiſe of doing no violence to his perſon, full information of the combinations that had been forming againſt the government of Rome. So inſtructed, he aſſembled ſuch a force as was neceſſary to ſupport him in aſſerting the authority of the State; and thinking it neceſſary to give a ſtriking example in a matter of ſo dangerous and infectious a nature, he ordered the place to be razed to the ground (*h*).

CHAP. III.

By this act of ſeverity, the deſigns of the allies were for a while ſuſpended, and might have been entirely ſuppreſſed, if the factions at Rome had not given them freſh encouragement and hopes of ſucceſs or impunity. This tranſaction was ſcarcely paſt, when Caius Gracchus appeared in the city to ſolicit the office of Tribune; and, by his preſence, revived the hopes of the allies. Having obſerved, that the Proconſul Aurelius Cotta, under whom he

U. C. 629.
C. Caſſius Longinus,
C. Sextius Calvinus.

(*h*) Liv. lib. lx. Velleius Obſequens. Cic. lib. ii. De Inventione; De Finibus, v. Ibid. Rhetorius, lib. iv.

ſerved

BOOK II.

ſerved as Proquæſtor in Sardinia, inſtead of being recalled, was continued in his command, and furniſhed with reinforcements and ſupplies of every ſort as for a ſervice of long duration; and ſuſpecting, that this meaſure was pointed at himſelf, and proceeded from a deſign to keep him at a diſtance from the popular aſſemblies, he quitted his ſtation in Sardinia, and returned without leave. He was called to account by the Cenſors for deſerting his duty; but defended himſelf with ſuch ability and force, as greatly raiſed the expectations which had already been entertained by his party (*i*).

The law, he ſaid, required him only to carry arms ten years, he had actually carried them twelve years; although he might legally have quitted his ſtation of Quæſtor at the expiration of one year, yet he had remained in it three years. However willing the Cenſors may have been to remove this peſt from the commonwealth, they were too weak to attempt any cenſure in this ſtate of his cauſe, and in the preſent humour of the People. They endeavoured, in vain, to load him with a ſhare in the plot of Fregellæ; he ſtill exculpated himſelf: and, if he had poſſeſſed every virtue of a citizen, in proportion to his reſolution, application, eloquence, and even ſeverity of manners, he might have been a powerful ſupport to the State. In a ſpeech to the People, on his return from Sardinia, he concluded with the following remarkable words: "The purſe which I carried full to the province, "I have brought empty back. Others empty the "wine caſks which they carry from Italy, and bring "them from the provinces repleniſhed with ſilver "and gold (*k*)."

In declaring himſelf a candidate for the office of Tribune, Caius Gracchus profeſſed his intention to

(*i*) Plutarch. in C. Graccho. (*k*) A. Gellius, lib. xv. c. 12.

propoſe

propose many popular laws. The Senate exerted all their influence to disappoint his views; but such were the expectations of the popular party throughout all Italy, that they crowded to the election in greater numbers than could find place in the public square. They handed and reached out their ballots at the windows and over the battlements; and Gracchus, though elected, was, in consequence of the opposition given to him, only fourth in the list (*l*).

Cornelia, the mother of the Gracchi, who, ever since the death of her son Tiberius, lived in retirement in Campania, upon hearing of the career which her son, Caius, was likely to run, alarmed at the renewal of a scene which had already occasioned her so much sorrow, expostulated with him on the course he was taking; and, in an unaffected and passionate address, spoke that ardent zeal for the republic, by which the citizens of Rome had been long distinguished.

This high-minded woman, on whom the entire care of her family had devolved by the death of her husband, whilst the children were yet in their infancy, or under age, took care, with unusual attention, to have them educated for the rank they were to hold in the State, and did not fail even to excite their ambition. When Tiberius, after the disgrace of Mancinus, appeared to withdraw from the road of preferments and honours, "How long," she said, "shall I be distinguished as the mother-"in-law of Scipio, not as the mother of the Grac-"chi?" This latter distinction, however, she came to possess; and it has remained with her name, but from circumstances and events which this respectable personage by no means appeared to desire. In one fragment of her letters to Caius, which is still preserved, "You will tell me," she said, "that it

(*l*) Plutarch, Appian, Orosius, Eutrop. Obsequens.

BOOK II. "is glorious to be revenged of our enemies. No "one thinks ſo more than I, if we can be revenged without hurt to the republic; but if not, "often may our enemies eſcape. Long may they "be ſafe, if the good of the commonwealth requires their ſafety." In another letter, which appears to be written after his intention of ſuing for the Tribunate was declared, ſhe accoſts him to the following purpoſe: "I take the Gods to witneſs, that except the perſons who killed my ſon "Tiberius, no one ever gave me ſo much affliction as you do in this matter. You, from whom "I might have expected ſome conſolation in my "age, and who, ſurely, of all my children, ought "to be moſt careful not to diſtreſs me! I have not "many years to live. Spare the republic ſo long "for my ſake. Shall I never ſee the madneſs of "my family at an end? When I am dead, you "will think to honour me with a parent's rites; "but what honour can my memory receive from "you, by whom I am abandoned and diſhonoured while I live? But, may the Gods forbid you "ſhould perſiſt! if you do, I fear the courſe you "are taking leads to remorſe and diſtraction, which "will end only with your life (*m*)."

Lex Sempronia agraria.

Theſe remonſtrances do not appear to have had any effect. Caius, upon his acceſſion to the Tribunate, proceeded to fulfil the expectations of his party. The Agrarian law, though ſtill in force, had met with continued interruption and delay in the execution. It was even falling into neglect. Caius thought proper, as the firſt act of his magiſtracy, to move a renewal and confirmation of it, with expreſs injunctions, that there ſhould be an annual diſtribution of land to the poorer citizens (*n*).

(*m*) Fragmenta Corn. Nepotis ab Andrea Scotto collecta, edita cum ſcriptis Corn Nepotis.

(*n*) Liv. lib. lx. Velleius, lib. ii. Hyginus de Limitibus. Appian, de verſis illuſtribus.

To

To this he subjoined, in the first year of his office, a variety of regulations tending either to increase his popularity, or to distinguish his administration. Upon his motion, public granaries were erected, and a law was made, that the corn should be issued from thence monthly to the People, two parts in twelve under the prime or original cost (*o*).

CHAP. III.

Lex frumentaria.

This act gave a check to industry, which is the best guardian of manners in populous cities, or wherever multitudes of men are crowded together.

Caius likewise obtained a decree, by which the estates of Attalus, king of Pergamus, lately bequeathed to the Romans, should be let in the manner of other lands under the inspection of the Censors; but the rents, instead of being made part of the public revenue, should be allotted for the maintenance of the poorer citizens (*p*).

Another, by which any person deposed from an an office of magistracy by the People, was to be deemed for ever disqualified to serve the republic in any other capacity (*q*). This act was intended to operate against Octavius, who by the influence of Tiberius, had been degraded from the office of Tribune; and the act took its title from the name of the person against whom it was framed.

An act to regulate the conditions of the military service (*r*), by which no one was obliged to enter before seventeen years of age, and by which Roman soldiers were to receive cloathing as well as pay (*s*); possibly the first introduction of a uniform into the Roman Legions; a circumstance which, in modern times, is thought so essential to the character of troops, and the appearance of an army.

(*o*) Semisse & tricenti, for a half and a third, &c. Liv. Plutarch. Appian. ibid.
(*p*) Florus, lib. iii. c. 15. Cicer. in Verrem.
(*q*) Privilegium in Octavium.
(*r*) De militum commodis.
(*s*) Plutarch in C. Gracco.—Lex Sempronia de libertate civium.

By the celebrated law of Porcius, which allowed of an appeal to the People, every citizen had a remedy againſt any oppreſſive ſentence or proceeding of the executive magiſtrate; but this did not appear to Gracchus a ſufficient reſtraint on the officers of State. He propoſed to have it enacted, that no perſon, under pain of a capital puniſhment, ſhould at all proceed againſt a citizen without a ſpecial commiſſion or warrant from the People to that effect. And he propoſed to give this law a retroſpect, in order to comprehend Popilius Lænas (*t*), who being Conſul in the year after the troubles occaſioned by Tiberius Gracchus, had, under the authority of the Senate alone, proceeded to try and condemn ſuch as were acceſſary to that ſedition. Lænas perceived the ſtorm that was gathering againſt him, and choſe to avoid it by a voluntary exile. This act was indeed almoſt an entire abolition of government, and a bar to the exerciſe of ſuch ordinary powers as were neceſſary to the peace of the commonwealth. A popular faction could withhold every power, which, in their apprehenſion, might be employed againſt themſelves; and in their moſt pernicious deſigns had no interruption to fear from the Dictator named by the Senate and Conſuls, nor from the Conſul armed with the authority of the Senate for the ſuppreſſion of diſorders; a reſource to which the republic had frequently owed its preſervation. As we find no change in the proceedings of the State upon this new regulation, it is probable that the abſurdity of the law prevented its effect.

While Gracchus thus propoſed to make all the powers of the State depend for their exiſtence on the occaſional will of the People, he meant to render the aſſemblies of the People themſelves more democratical by ſtripping the higher claſſes of the

(*t*) Cicer. in Cluentio; pro Rabino; pro domo ſua.

prerogative, precedence, or influence they possessed, in leading the public decisions. The Centuries being hitherto called to vote in the order of their classes, those of the first or highest class, by voting first, set an example which was often followed by the whole (*u*). By the statute of Gracchus, the Centuries were required, in every question, to draw lots for the prerogative, and gave their votes in the order they had drawn.

Under this active Tribune, much public business, that used to pass through the Senate, was engrossed by the popular assemblies. Even in the form of these assemblies, all appearance of respect to the Senate was laid aside. The Rostra, or platform on which the presiding magistrate stood, was placed in the middle of an area, of which one part was the market-place, surrounded with stalls and booths for merchandize, and the courts of justice; the other part, called the Comitium, was open to receive the People in their public assemblies; and on one side of it, fronting the Rostra, or bench of the magistrates, stood the Curia, or Senate-house. The People, when any one was speaking, stood partly in the market-place, and partly in the Comitium. The speakers directed their voice to the Comitium, so as to be heard in the Senate. This disposition, Gracchus reversed, and directing his voice to the Forum, or market-place, seemed to displace the Senate, and deprive that body of their office as watchmen and guardians of the public order in matters that came before the popular assemblies (*w*).

At the time that the Tribune Caius Gracchus engaged the minds of his contemporaries, and furnished history chiefly with these effects of his factious and turbulent spirit, it is observed, that he

(*u*) The first Century was called the Prerogativa.

(*w*) M. Varro de Re Rustica, lib. i. c. 2. Cic. de Amicitia. Plutarch. in Vit. Caii Gracchi.

himſelf executed works of general utility; bridges, highways, and other public accommodations throughout Italy. And that the State having carried its arms, for the firſt time, over the Alps, happily terminated the war with the Salyii, a nation of Gaul, whoſe territory became the firſt province of Rome in that country. And that Caius Sextius, Conſul of the preceding year, was authoriſed to place a colony in the neighbourhood of the hot ſprings, which, from his name, were called the Aquæ Sextiæ, and are ſtill known by a corruption of the ſame appellation *(x)*.

From Aſia, at the ſame time, it was reported, that Ariarathes, the king of Cappadocia, and ally of the Romans, was murdered, at the inſtigation of Mithridates, king of Pontus, whoſe ſiſter he had married; that he had left a ſon for whom Mithridates affected to ſecure the kingdom; but that the widowed queen having fallen into the hands of Nicomedes, king of Bythinia, this prince, in her right, had taken poſſeſſion of Cappadocia, while Mithridates, in name of his nephew, was haſtening to remove him from thence. On this ſubject a reſolution was declared in the aſſembly of the People at Rome, that both Nicomedes and Mithridates ſhould be required immediately to evacuate Cappadocia, and to withdraw their troops. This reſolution Caius Gracchus oppoſed with all his eloquence and his credit, charging his antagoniſts aloud with corruption, and a clandeſtine correſpondence with the agents, who, on different ſides, were now employed at Rome in ſoliciting this affair. "None of us," he ſaid, "ſtand forth in this "place for nothing. Even I, who deſire you to "put money in your own coffers, and to conſult "the intereſt of the State, mean to be paid, not "with money indeed, but with your favour and

(x) At Aix, in Provence.

CHAP. III.

"a good name. They who oppose this resolution "likewise covet, not honours from you, but money from Nicomedes; and they who support it, "expect to be paid by Mithridates, not by you. "As for those who are silent, they, I believe, understand the market best of all. They have "heard the story of the poet, who being vain that "he had got a great sum of money for rehearsing "a tragedy, was told by another, that it was not "wonderful he had got so much for talking, "when I, said the other, who it seems knew "more than he was wished to declare, have got "ten times as much for holding my tongue. "There is nothing that a king will buy at so great "a price, on occasion, as silence (y).

Such, at times, was the style, in which this popular orator chose to address his audience. Individuals are won by flattery, the multitude by buffoonery and satire. From the tendency of this speech, it appears to have been the opinion of Gracchus, not that the Romans should sequester the kingdom of Cappadocia for the heirs of Ariarathes, but that they should seize it for themselves. The question, however, which now arose relating to the succession to this kingdom, laid the foundation of a tedious and bloody war, of which the operations and events will occur in their place.

Gracchus, on the approach of the election of Consuls, employed all his credit and influence to support Caius Fannius, in opposition to Opimius, who, by his vigilance and activity in suppressing the treasonable designs of the allies at Fregellæ, had incurred the displeasure of the popular party; and Fannius being accordingly chosen, together with Cn. Domitius Ahenobarbus, Gracchus proceeded to offer himself as a candidate to be re-

U. C. 639. C. Fannius, Cn. Domitius Ahenobarbus.

(y) A. Gellius, lib. ii. c. 10.

elected

BOOK II. elected into the office of Tribune. In this he followed the example of his brother Tiberius in a ſtep, which, being reckoned illegal as well as alarming, was that which haſtened his ruin. An attempt had been ſince made by Papirius Carbo to have the legality of ſuch re-elections acknowledged; but this having failed, Caius Gracchus, with great addreſs, inſerted in one of his popular edicts, a clauſe declaring it competent for the People to re-elect a Tribune, in caſe he ſhould need a continuation of his power in order to fulfil his public engagements. To avail himſelf of this clauſe, he now declared, that his views in behalf of the People were far from being accompliſhed. Under this pretence he obtained a preference to one of the new candidates, and greatly ſtrengthened the tribunitian power by the proſpect of its repeated renewals, and duration for an indefinite time.

Lex Sempronia Judiciaria.

Upon his re-election, Caius, continuing his adminiſtration upon the ſame plan of animoſity to the Senate, obtained a law to deprive that body of the ſhare which his brother had left them in the courts of juſtice; and ordaining, that the judges, for the future, ſhould be draughted from the Equeſtrian order alone, a claſs of men, who being left out of the Senate, and of courſe not comprehended in the laws that prohibited commerce, had betaken themſelves, as has been obſerved (z), to lucrative profeſſions, were the farmers of the revenue, the contractors for the army, and, in general, the merchants who conducted the whole trade of the republic. Though they might be conſidered as neutral in the diſputes of the Senate and People, and therefore impartial where the other orders were biaſſed, there was no claſs of men more likely to proſtitute the character of judges for intereſt or actual hire. This revolution in the courts of juſ-

(z) Page 295.

tice

tice accordingly may have contributed greatly to hasten the approaching corruption of manners, and the disorders of the government. C H A P. III.

Lex de Provinciis ordinandis.

The next ordinance prepared by Gracchus, or ascribed to him, related to the nomination of officers to govern the provinces, and, if it had been strictly observed, might have made some compensation for the former. The power of naming such officers was committed to the Senate, and the arrangements were to be annually made before the election of Consuls. This continued to be law, but was often over-ruled by the People *(a)*.

In the same year, the boldest and most dangerous project that had ever been formed by any of the popular leaders, that for admitting the Italian allies upon the rolls of the Roman People, already attempted by Fulvius Flaccus, was again renewed by Caius Gracchus; and, upon the utmost exertion of the vigilance and authority of the Senate, with great difficulty prevented.

The rumour of this project having brought multitudes to Rome, the Senate thought it necessary to give the Consuls in charge to clear the city, on the day that this important question was expected to come on, of all strangers, and not to suffer any aliens to remain within four miles of the walls. During the dependence of this question, Gracchus flattered the poorer citizens with the prospect of advantageous settlements, in certain new colonies, of six thousand men each, which he proposed to plant in the districts of Campania and Tarentum, the most cultivated parts of Italy, and in colonies, which he likewise proposed to send abroad into some of the richest provinces. Such settlements had been formerly made to occupy and secure recent conquest; they were now calculated to serve

(*a*) Florus, lib. iv. c. 13. Sallust. de Bell. Jugurth. No. 621. Cicero de Provinciis Consularibus.

BOOK II. as baits to popular favour, and as a provision, made by the leaders of faction, for their own friends and adherents.

The Senate, attacked by such popular arts, resolved to retort on their adversaries; and for this purpose instructed Marcus Livius, another of the Tribunes, to take such measures as should, if possible, supplant Gracchus in the favour of the People. Livius, professing to act in concert with the Senate, proposed a number of acts: one to conciliate the minds of the allies, by giving them, while they served in the army, the same exemption from corporal punishment, which the Roman citizens had enjoyed.

Lex Livia de Tergo Civium Latini Nominis.

Another for the establishment of twelve different colonies, each of three thousand citizens. But what, possibly, had the greatest effect, because it appeared to exceed in munificence all the edicts of Gracchus, was an exemption of all those lands, which should be distributed in terms of the late Sempronian Law, from all quit-rents and public burdens, which had hitherto, in general, been laid on all possessions that were held from the Public (*b*). It was proposed to name ten commissioners to distribute lands thus unincumbered to the People; and three colonies are mentioned, Syllaceum, Tarentum, and Neptunia, as having been actually sent abroad this year, and probably on these terms.

Lex Rubria.

About the same time it was decreed, that the city of Carthage might be rebuilt for the reception of a colony of six thousand Roman citizens. This decree bears the name, not of Sempronius or of Livius, but of Rubrius, another Tribune of the same year.

The Senate readily agreed to the settlement of these colonies, as likely to carry off a number of

(*b*) Plutarch. Paulus Minutius de Legibus Romanis.

the

the more factious citizens, and to furnish an opportunity likewise of removing from the city, for some time, the popular leaders themselves, under pretence of employing them to conduct and to settle the families destined to form those establishments. Accordingly, Caius Gracchus, and Fulvius Flaccus, late Consul, and now deeply engaged in all these factious measures, were destined to take charge of the new colonists, and to superintend their settlement (*c*). CHAP. III.

In the mean time, the Senate, in the election of Opimius to the Consulship of the following year, carried an important object to the reputation and interest of their party, and conceived hopes of being able, by the authority of this magistrate, to combat the designs of Gracchus more effectually than they had hitherto done. He was accordingly retained in the administration of affairs in Italy, while his colleague, Fabius, was appointed to command in Gaul. Caius Gracchus, having the presumption to offer himself a third time candidate for the office of Tribune, was rejected, and had the mortification to find that the authority of the Senate began to prevail; and, as they had credit enough to procure his exclusion from any share in the magistracy, so they might be able to frustrate or reverse many of the acts he had obtained in favour of his party. U. C. 632. Con. L. Opimius, Q. Fab. Maximus.

By the repulse of Gracchus and his associates, the aristocratical party came to have a majority, even in the college of Tribunes. Questions of legislation were now likely to be determined in the assembly of the Centuries; and this circumstance alone, while the Senate was able to retain it, was equal to an entire revolution of the government. The Centuries, under the leading of an active Consul, were likely to annul former resolutions

(*c*) Plutarch. Appian. Orosius.

with

BOOK II. with the ſame deciſion and rapidity with which they had been paſſed. Much violence was expected, and the different parties, recollecting what had happened in the caſe of Tiberius Gracchus, took meaſures not to be ſurpriſed by their antagoniſts; for the moſt part came to the place of aſſembly in bands, even under arms, and endeavoured to poſſeſs the advantage of the ground as in the preſence of an enemy.

Minucius, one of the Tribunes, in conſequence of a reſolution of the Senate, pretending that he was moved by ſome unfavourable preſages, propoſed a repeal or amendment of ſome of the late popular acts; and particularly, to change the deſtination of the colony intended for Carthage, to ſome other place. This motion was ſtrenuouſly oppoſed by Fulvius Flaccus, and by Caius Gracchus, who treated the report of preſages from Africa as a mere fiction, and the whole deſign as proceeding from the inveterate hatred of the Nobles to the People. Before the aſſembly met, in which this queſtion was to be decided, theſe popular leaders attempted to ſeize the Capitol, but found themſelves prevented by the Conſul, who had already, with an armed force, ſecured that ſtation.

In the morning after they had received this diſappointment, the People being aſſembled, and the Conſul being employed in offering up the cuſtomary ſacrifices, Gracchus, with his party, came to their place in the Comitium. One of the attendants of the Conſul, who was carrying away the entrails of the victim, reproached Gracchus, as he paſſed, with ſedition, and bid him deſiſt from his machinations againſt the government of the commonwealth. On this provocation, one of the party of Gracchus ſtruck the Conſul's officer with his dagger, and killed him on the ſpot. The cry of murder ran through the multitude, and the aſſembly began

began to break up. Gracchus endeavoured to ſpeak, but could not be heard for the tumult; and all thoughts of buſineſs were laid aſide. The Conſul immediately ſummoned the Senate to meet; and having reported what had happened in the Comitium, and what appeared to him the firſt act of hoſtility in a war, which the popular faction had prepared againſt the State, he received the charge that was uſual on perilous occaſions, to provide, in the manner which his own prudence ſhould direct, for the ſafety of the commonwealth. Thus authoriſed, he commanded the Senators and the Knights to arm, and made proper diſpoſitions to ſecure the principal ſtreets. Being maſter of the Capitol and Forum, he adjourned the aſſembly of the People to the uſual place on the following day, and cited the perſons accuſed of the murder to anſwer for the crime which was laid to their charge.

In conſequence of this adjournment, and the Conſul's inſtructions, numbers in arms repaired to the Comitium at the hour of aſſembly, and were ready to execute ſuch orders as they might receive for the public ſafety. Gracchus and Fulvius refuſed to anſwer the citation, and the Capitol being ſecured againſt them, they took poſt, with a numerous party in arms, on the Aventine Hill, which was oppoſite to the Capitol, and from which they equally looked down on the Forum and place of aſſembly. Being again cited to appear at the Tribunal of the Roman people, they ſent a young man, one of the ſons of Fulvius, to capitulate with the Conſul, and to ſettle the terms on which they were to ſurrender themſelves. Upon this meſſage they were told, in return, that they muſt anſwer at the bar of the aſſembly, as criminals, not pretend to negotiate with the republic, as equals; that no party, however numerous, was entitled to parley with the People of Rome: and to this an-

ſwer

BOOK II. ſwer the meſſenger was forbid, at his peril, to bring any reply. The party, however, ſtill hoped to gain time, or to divide their enemies; and they ventured to employ young Fulvius again to repeat their meſſage. He was ſeized by the Conſul's order. Gracchus and Fulvius, with their adherents, were declared public enemies; and a reward was offered to the perſon who ſhould kill or ſecure them. They were inſtantly attacked, and, after a little reſiſtance, forced from their ground. Gracchus fled by the wooden bridge to the oppoſite ſide of the river, and was there ſlain, either by his own hand, or by that of a faithful ſervant, who had undertaken the taſk of ſaving him in his laſt extremity from falling into the power of his enemies. Fulvius was dragged to execution from a bath where he attempted to conceal himſelf. The heads of both were carried to the Conſul, and exchanged for the promiſed reward.

In this fray the party of the Senate, being regularly armed and prepared for ſlaughter, cut off the adherents of Caius Gracchus and Fulvius in greater numbers than they had done thoſe of Tiberius; they killed about three thouſand two hundred and fifty in the ſtreets, and confined great numbers who were afterwards ſtrangled in the priſons. The bodies of the ſlain, as the law ordained, in the caſe of treaſon, being denied the forms of a funeral, were caſt into the river, and their eſtates confiſcated *(d)*.

The houſe of Fulvius was raſed to the ground, the area laid open for public uſes; and, from theſe beginnings, it appeared that the Romans, who in the purſuit of their foreign conqueſts, had ſo liberally ſhed the blood of other nations, might become equally laviſh of their own.

(*d*) Appian. Plutarch. Oroſius, lib. v. c. 12. Florus, lib. iii. c. 15. Auctor de Viris Illuſtribus, c. 65.

CHAP.

CHAP. IV.

State of Order and Tranquillity which followed the Suppreſſion of the late Tumults.—Appearance of Caius Marius.—Foreign Wars.—Complaints againſt Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and Treaty of Piſo.—Jugurtha came to Rome with a ſafe Conduct.—Obliged to retire from thence.—Campaign of Metellus.—Of Marius.—Jugurtha betrayed by Bocchus.—His Death, after the Triumph of Marius.—This General re-elected, in order to command againſt the Cimbri.

THE popular party had, in the late tumults, carried their violence to ſuch extremes, as diſguſted and alarmed every perſon who had any deſire of domeſtic peace; and in their ill adviſed recourſe to arms, but too well juſtified the meaſures which had been taken againſt them. By this exertion of vigour, the Senate, and ordinary magiſtrates, recovered their former authority; affairs returned to their uſual channel, and the moſt perfect order ſeemed to ariſe from the late confuſions. Queſtions of legiſlation were allowed to take their riſe in the Senate, and were not carried to the People, without the ſanction of the Senate's authority. The legiſlative power was exerciſed in the aſſembly of the Centuries, and the prohibitory or defenſive function of the Tribunes, or repreſentatives of the People, was ſuch, as to prevent the abuſes of the executive power in the hands of the ariſtocracy, without ſtopping the proceedings of government, or ſubſtituting a democratical uſurpation in its place. Even the judicative power, veſted in the Equeſtrian order,

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order, promiſed to have a ſalutary effect, by keeping a balance between the different ranks and diſtinctions of men in the republic.

The ariſtocratical party, notwithſtanding the aſcendant they had recently gained, did not attempt to reſcind any of the regular inſtitutions of Gracchus; they were contented with inflicting puniſhments on thoſe who had been acceſſary to the late ſedition, and with re-eſtabliſhing ſuch of the Nobles as had ſuffered by the violence of the popular faction. Popilius Lænas, driven into exile by one of the edicts of Gracchus, or by the perſecution to which it expoſed him, was now recalled upon the motion of Calpurnius Piſo, one of the Tribunes (*a*).

U. C. 633. Publius Manlius, and C. Papirius Carbo.

As the ſtate of parties was in ſome meaſure reverſed, Papirius Carbo thought proper to withdraw from the popular ſide; and, by the credit of thoſe now in poſſeſſion of the government, was promoted to the ſtation of Conſul, and yielded the firſt fruits of his converſion by defending the cauſe of his predeceſſor Opimius, who, at the expiration of his Conſulate, was brought to trial for having put Roman citizens to death without the forms of law. Carbo, though himſelf connected with thoſe who ſuffered, now pleaded the juſtice and neceſſity of the late military executions; and, upon this plea, obtained the acquittal of his client.

This merit on the part of Carbo, however, did not ſo far cancel his former offences as to prevent his being tried and condemned in the following year, as an accomplice in the ſedition of Gracchus. He was ſuppoſed to have been acceſſary to the death of Scipio; and his cauſe not being warmly eſpouſed by any party, he fell a ſacrifice to the imputation of this heinous crime. It is ſaid, that, upon hearing his ſentence, he killed himſelf (*b*).

(*a*) Cicero in Bruto. (*b*) Valerius Max. lib. iii. c. 7. Cicero in Bruto.

Octavius,

CHAP. IV.

Octavius, one of the Tribunes of the present year, moved an amendment of the law obtained by Gracchus, respecting the distribution of corn from the public granaries, probably to ease the treasury in part of that burden; but the particulars are unknown.

Lex Octavia Frumentaria.

About this time the celebrated Caius Marius began to appear in the public assemblies of the People. He was a person of obscure birth, and rustic manners, formed amidst the occupations of a peasant (c), and the hardships of a legionary soldier, but of a resolute spirit, and insatiable ambition. He was a native of Arpinum, and without any other apparent title than that of being a denison of Rome, laid claim to the honours of the State. He is remarkable for having suffered more repulses in his first attempts to be elected into office, and for having succeeded more frequently afterwards than any other Roman citizen during the existence of the commonwealth.

Marius, after being disappointed in his first canvas for the office of Tribune, succeeded in the following year. The acts which were passed under his Tribunate, and which bear his name, do not carry any violent expressions of party-spirit, nor give intimation of that insatiate ambition with which he afterwards distressed his country; the first related to the conduct of elections, and provided some remedy for an evil which was complained of in the manner of soliciting votes. The space between the rails, by which the citizens passed to give in their ballots, was so broad as to admit, not only those who came to vote, but the candidates likewise, with their adherents and friends, who came to importune and to overawe the People in the very act of delivering their votes. Marius proposed to put an end to this practice, and to pro-

Lex Maria de Suffragiis.

(c) Juvenal. Sat. viii. Plin. lib. xxxiii. c. 11.

BOOK II. vide for the entire freedom of the People, by narrowing the entrance, so that only the voters could pass. A party of the Nobles, with Aurelius Cotta the Consul at their head, not knowing with what a resolute spirit they were about to contend, being averse to this reformation, prevailed on the Senate to withhold its authority, without which any regular question on this subject, could not be put to the People. But Marius, in the character of Tribune, threatened the Consul with immediate imprisonment, if he did not move to recall this vote of the Senate. The matter being re-considered, Lucius Metellus, who was first on the Rolls, having given his voice for affirming the first decree, was ordered by Marius into custody; and there being no Tribune to intercede for him, must have gone to prison, if the dispute had not terminated by the majority agreeing to have the matter carried to the People, as Marius proposed, with the Sanction of the Senate's authority.

In another of the acts of Marius the republic was still more indebted to his wisdom and courage, in withstanding an attempt of one of his colleagues to flatter the indigent citizens at the expence of the public treasury, by repealing the recent regulation of Octavius, and lowering the terms on which corn was distributed from the granaries. This was an ordinary expedient of Tribunitian faction. Marius opposed it as of dangerous consequence. And his conduct in this matter marked him out as one not to be awed by any party, and a person, who, into whatever party he should be admitted, was destined to govern. The times indeed were likely to give more importance to his character as a soldier than as a citizen; and in that he was still farther raised above the malice of those who were inclined to revile or undervalue what were called his upstart pretensions (*d*).

(*d*) Plutarch. in Mario.

From

From the time that the Romans firſt paſſed into the Tranſalpine Gaul, as auxiliaries to the republic of Marſeilles, they had kept on foot in that neighbourhood a military force; and, by planting colonies at convenient ſtations, ſhewed their intention of maintaining poſſeſſions on that ſide of the Alps. Betultus, or Betultich, a prince of the country, who was ſuppoſed able to raiſe a force of two hundred thouſand men, attempted to expel theſe intruders, but was defeated, firſt by the Proconſul Fabius, afterwards by Domitius Ahenobarbus, and furniſhed theſe generals with the ſubjects of their reſpective triumphs. This prince himſelf became a captive to Domitius, and was carried to Rome, where he was led in proceſſion, diſtinguiſhed by his painted arms and his chariot of ſilver, the equipage in which it was ſaid he uſually led his army to battle *(e)*.

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It appears that the Romans had employed elephants in the firſt wars they made in Gaul; for the victory of Domitius is attributed to the effect that was produced by theſe animals *(f)*. U. C. 633.

Quintus Marcius ſucceeded Domitius in the command of the forces which were employed in Gaul, and continued to gain ground on the natives, who appeared from different cantons ſucceſſively to reſiſt his arms. He planted a colony at Narbo, to ſtrengthen the frontier of the newly-acquired province on one ſide; and as the Romans had hitherto always paſſed by ſea into that country, he endeavoured to open a paſſage by the Alps, in order to have a communication by land with Italy on the other. In the courſe of theſe operations the Stæni, an Alpine nation that oppoſed him, were entirely cut off.

(e) Velleius Pater. Ammianus Marcell. lib. xv. fine. Padionus in Verrinam Secundam. Val. Max. lib. v. c. 9.
(f) Suetonius in Vita Neronis.

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About this time the Roman generals obtained their triumphs on different quarters, in the Baliares and in Dalmatia, as well as in Gaul; and the republic did not meet for some years with an enemy able to resist her power, except on the side of Thrace and the Danube, where the Proconsul Cato was defeated; and where a resistance was for some years kept up by the natives.

But of the foreign affairs which occupied the attention of the Romans, the most memorable was the contest of pretenders to the crown of Numidia, which, by the death of Micipsa, the son and successor of Massinissa, came to be disposed of about this time. The late king had two sons, Adherbal and Hiempsal. He had likewise adopted Jugurtha, the natural son of his brother Manastabal, whom he had employed at the head of his armies, thinking it safer to gain him by good offices, than to provoke him by a total exclusion from favour. He had formed a project, frequent among barbarous and despotic sovereigns, but always ruinous, to divide his territories; and he hoped that, while he provided for his own sons, he should secure to them, from motives of gratitude, the protection and good offices of Jugurtha, whom he admitted to an equal share with them in the partition of his kingdom. The consequences of this mistaken arrangement soon appeared in the distractions that followed, and which arose from the ambition of Jugurtha, to make himself master of the whole. For this purpose he formed a secret design against the lives of both the brothers, of whom the younger, Hiempsal, fell into his snare, and was assassinated. Adherbal, being more cautious, obliged his crafty enemy to declare himself openly, took the field against him, with all the forces he could raise, but was defeated, and obliged to take refuge in the Roman province, and from thence thought proper

to

to paſs into Italy, in order to lay his complaints before the Senate and People of Rome.

Maſſiniſſa, the grandfather of this injured prince, had given effectual aid to the Romans in their wars with Carthage; and, upon the final reduction of that republic, was rewarded with a conſiderable part of its ſpoils. From this time forward the Romans expected, and the king of Numidia paid to them, a deference like that of a vaſſal or tributary prince to his ſovereign lord. Upon the faith of this connection, Adherbal now carried his complaints to Rome; and Jugurtha, knowing how ready the Romans were, in the character of arbitrators, to conſider themſelves as the ſovereigns of other nations, thought proper to ſend deputies on his part, to counteract the repreſentations of his rival.

This crafty adventurer had ſerved under Scipio at the ſiege of Numantia, where he had an opportunity of obſerving the manners and diſcipline of the Romans, and accommodated himſelf to both. He was equally diſtinguiſhed by his implicit ſubmiſſion to command, as by his impetuous courage, and by the ability of his conduct in every ſervice. He had even then probably directed his views to the ſucceſſion of Numidia, and ſaw of what conſequence the Romans might prove in deciding his fortunes. He had ſtudied their character, and had already marked out the line he was to follow in conducting his affairs with that People. They appeared to be a number of ſovereigns aſſembled together, able in council and formidable in the field; but, in compariſon to the Africans in general, undeſigning and ſimple. With the pride of monarchs they began, he imagined, to feel the indigence of courtiers, and were to be moved by conſiderations of intereſt rather than force. His commiſſioners were now accordingly furniſhed with ample preſents, and with the means of gratifying

BOOK II. fying the principal persons at Rome in a manner that was suited to their respective ranks and to their influence in the commonwealth.

In the choice of this plan Jugurtha, like most politicians that refine too much, had formed a system with great ingenuity, and spoke of it with a specious wit; but had not taken into his account the whole circumstances of the case in which he engaged. Rome, he supposed, was a city to be sold. He forgot that, though many Romans could be bought, no treasure was sufficient to buy the republic; that to buy a few, made it necessary for him to buy many more; that as he raised expectations, the number of expectants increased without limit; that the more he gave, the more he was still expected to give; that in a state which was broke into parties, if he gained one by his gifts, that alone was sufficient to rouse the other against him. And accordingly, after lavishing his money to influence the councils of Rome, he was obliged to have recourse to arms at last, and to contend with the forces of the republic, after he had exhausted his treasure in attempting to corrupt her virtue.

Although Jugurtha had many partizans at Rome, such was the injustice of his cause, or the suspicion of corruption in those who espoused it, that they durst not openly avow their wishes. They endeavoured to suspend the resolutions which were in agitation against him, and had the matter referred to ten commissioners who should go into Africa, and in presence of the parties settle the differences which subsisted between them. There indeed he practised his art on the Roman commissioners with better success than he had experienced with the Senate and People. He prevailed upon them to divide the kingdom, and to favour him in the lot which should be assigned to himself: knowing that force must ultimately decide every controversy which

which ſhould ariſe on the ſubject, he made choice, not of the richeſt, but of the moſt warlike diviſion; and indeed had already determined that, as ſoon as the Romans left Africa, he ſhould make an end of the conteſt by the death of Adherbal; truſting that, by continuing to uſe the ſpecific which it was ſaid he had already applied, he might prevail on the Romans to overlook what they would not, on a previous requeſt, have permitted.

He accordingly, ſoon after the departure of the Roman commiſſioners, marched into the territories of Adherbal, ſhut him up in the town of Cirta; and, while the Romans ſent him repeated meſſages to deſiſt, ſtill continued the blockade, until the mercenaries of Adherbal, tired of the hardſhips they were made to endure, adviſed, and, by their appearing ready to deſert, forced him to commit himſelf to the mercy of Jugurtha, by whom he was immediately put to death.

By theſe events, in about ſeven years from the death of Micipſa, Jugurtha had attained to the object of his higheſt deſires; but the arts which procured him a crown, likewiſe rendered his ſtate inſecure. He was diſappointed in his expectation to pacify the Romans. The money he dealt went into the coffers only of a few, but his crimes rouſed the indignation of the whole People. Practiſed ſtateſmen or politicians are ſeldom rouſed by mere feelings of indignation on the ſubject of private wrongs. They have, or pretend to have, reaſons of ſtate to ſuppreſs the conſideration of individuals. The greater part of the Roman Senate accordingly, whether acting on maxims of policy, or won by the preſents of Jugurtha, received the complaints which were lodged againſt him with indifference; but the aſſembly of the People, moved by the cries of perfidy and murder which were raiſed by the Tribunes, received the repreſentations of his conduct with indignation and rage. Theſe paſſions were

BOOK II. were inflamed by oppoſition to the Nobles, who were ſuppoſed to favour the murderer. Neither the moſt deliberate Stateſman nor the moſt determined partizan of Jugurtha durſt appear in his cauſe, nor propoſe to decline a war with that prince, although it was likely to be attended with conſiderable difficulties; and was to be undertaken at a time when a cloud hung over Italy on the ſide of Gaul, a quarter from which the Romans always expected, and often experienced, the moſt terrible ſtorms.

U. C. 640. About the time that Adherbal laid his complaints againſt Jugurtha before the Senate of Rome, a new enemy had appeared. The north of Europe, or of Aſia, had caſt off a ſwarm, which, migrating to the ſouth and to the weſt, was firſt deſcried by the Romans on the frontier of Illyricum, and preſently drew their attention to that ſide. The horde was ſaid to conſiſt of three hundred thouſand fighting men, conducting their families of women and children, and covering the plains with their cattle. The Conſul Papirius Carbo was ordered to take poſt in Illyricum, to obſerve the motions of this tremendous hoſt. He was alarmed with their ſeeming to point towards the diſtrict of Aquileia; and putting himſelf, with too little precaution, in their way, could not withſtand their numbers, and was overwhelmed as by a tempeſt.

This migrating nation the Romans have called by the name of Cimbri, without determining from whence they came. It is ſaid that their cavalry amounted to no more than fifteen thouſand; that it was their practice to deſpiſe horſes, as well as the other ſpoils of their enemies, which they generally deſtroyed: and from this circumſtance it may be argued, that they were not of Scythian extraction, nor ſprung from thoſe mighty plains in the northern parts of Aſia, where military force has from time immemorial conſiſted of cavalry, where horſes

were

were valued above every other ſpecies of acquiſition or property; and that they muſt have been bred amongſt mountains and woods, where this animal is not equally uſeful. On their helmets, which were creſted with plumes of feathers, they carried the gaping jaws of wild beaſts. On their bodies they wore breaſt-plates of iron, had ſhields painted of a conſpicuous colour; and carried two miſſile javelins or darts, and a heavy ſword. They collected their fighting men, for the moſt part, into a ſolid ſquare, equally extending every way: in one of their battles it was reported that the ſides of this ſquare extended thirty ſtadia, or between three and four miles. The men of the foremoſt ranks were faſtened together with chains locked to their girdles, which made them impenetrable to every attack, and gave them the force of a torrent, in ſweeping obſtructions before them. Such were the accounts with which the Romans were alarmed on the approach of this tremendous enemy.

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Although, by the defeat of Carbo, Italy lay open to their devaſtations, yet they turned away to the north and the weſtward, and keeping the Alps on their left, made their appearance again on the frontier of the Roman province in Narbonne Gaul, and from thence paſſed into Spain, where they continued to alarm Roman ſettlements and kept Rome itſelf in ſuſpence, by the uncertainty of the tract they might afterwards chooſe to purſue.

Such was the ſtate of affairs, when the popular cry and generous indignation of the Roman People forced the State into a war with Jugurtha. The Conſul Piſo was appointed to command in Numidia. The neceſſary levies and ſupplies for this ſervice were ordered, and Jugurtha could no longer doubt that the force of the Roman republic was to be employed againſt him; yet, in hopes to avert the ſtorm, he ſent his ſon, with two proper aſſiſtants,

U. C. 642. Pub. Cornelius, Scipio Naſica. L. Calpurnius, Piſo, Beſtia.

BOOK II. aſſiſtants, in the quality of ambaſſadors to Rome, chiefly truſting to the arts of inſinuation he had hitherto practiſed, and to the diſtribution of preſents and of money. Their arrival being reported to the Senate, a reſolution of this body paſſed, that, unleſs they brought an offer from Jugurtha to ſurrender his perſon and his kingdom at diſcretion, they ſhould be required in ten days to depart from Italy.

This anſwer being delivered to the ſon of Jugurtha, he preſently withdrew, and was followed by a Roman army, which was prepared to embark for Africa. The war was conducted at firſt with great vivacity and ſucceſs: but Jugurtha, by offering great public conceſſions or private gratifications, prevailed on the Conſul to negotiate. It was agreed, that, upon receiving a proper hoſtage on the part of the Romans, the king himſelf ſhould repair to their camp, in order to conclude the treaty. In the articles that were made public, the king agreed to ſurrender himſelf at diſcretion, and to pay a large contribution in horſes, corn, elephants, and money; but in ſecret articles, which were drawn up at the ſame time, the Conſul engaged that the perſon of the king ſhould be ſafe, and that the kingdom of Numidia ſhould be ſecured to him.

During theſe tranſactions the time of the expiration of Piſo's command drew near, and he himſelf was called into Italy to preſide at the approaching elections. His report of the treaty with Jugurtha was received with ſuſpicion, and the cry of corruption reſumed by the popular party. "Where is "this captive?" ſaid the Tribune Memmius; "if "he have ſurrendered himſelf, he will obey your "commands; ſend for him; queſtion him in re"ſpect to what is paſt. If he refuſes to come, we "ſhall know what to think of a treaty which brings "impunity to Jugurtha, princely fortunes to a few

"private

" private perſons, ruin and infamy to the Roman " republic." Upon this motion the Prætor Caſſius Longinus, a perſon of approved merit and unſhaken integrity, was haſtened into Africa, with poſitive inſtructions to bring the king of Numidia to Rome. By the ſafe-conduct which Caſſius brought on the part of the republic, and by his own aſſurances of protection, Jugurtha was prevailed on to commit himſelf to the faith of the Romans. He laid aſide his kingly ſtate and attendants, ſet out for Italy, and determined to appear as a ſuppliant at Rome. Upon his arrival, being called into the public aſſembly, Memmius propoſed to interrogate him on the ſubject of his ſuppoſed ſecret tranſaction with certain members of the Senate; but here Bebius, another of the Tribunes, interpoſed his negative; and, notwithſtanding that the People exclaimed, and even menaced, this Tribune perſiſted. And before this bar to the farther examination of Jugurtha could be removed, an incident took place, which occaſioned his ſudden departure from Italy.

Maſſiva, the ſon of Guluſſa, being the grandſon and natural repreſentative of Maſſiniſſa, and the only perſon beſides Jugurtha who remained of the royal line of Numidia, had been perſuaded by Albinus, the Conſul elected for the enſuing year, to ſtate his pretenſions before the Roman Senate, and to lay claim to the crown. Jugurtha, though at Rome, and in the power of thoſe who were likely to reſent his crimes, gave a ſpecimen of the bold and ſanguinary counſels to which he was inclined, employed againſt this competitor the ordinary arts of his court, and had him aſſaſſinated. The crime was traced to its author, but the ſafe-conduct he had received could not be violated; and he was only commanded, without delay, to depart from Italy. On this occaſion he left Rome with that memorable

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morable ſaying; "Here is a city to be ſold, if any buyer could be found."

U. C. 643. M. Minucius Rufus & Poſtumius Albinus.

The Conſul Albinus ſoon followed Jugurtha, to take the command of the Roman army in Africa; and being eager to perform ſome notable action before the expiration of his year, which was faſt approaching, he urged the king of Numidia, with all the forces he could aſſemble in the province; but found that he had to do with an enemy who had the art to elude his impetuoſity, and from whoſe apparent conduct no judgment could be formed of his real deſigns. This artful warrior often advanced with a ſeeming intention to hazard a battle, when he was moſt reſolved to decline it; or he precipitantly fled, when he meant to return upon his enemy, and take advantage of any diſorder he might incur in a too eager purſuit. His offers of ſubmiſſion, or his threats, were equally fallacious; and he uſed, perhaps in common with other African princes, means to miſlead his enemy, which Europeans, antient as well as modern, have in general condemned. He made ſolemn capitulations and treaties with a view to break them, and conſidered breach of faith, like a feint or an ambuſh, as a ſtratagem licenced in war. The Europeans have always termed it perfidy to break the faith of a treaty, the Africans held it ſtupidity to be caught in the ſnare.

By the artifices of Jugurtha accordingly, or by the remiſſneſs of his antagoniſt, the war was protracted for another year, and the Conſul, as the time of the election drew near, was recalled, as uſual, to preſide in the choice of his ſucceſſor. At his arrival the city was in great agitation. The cry of corruption, which had been raiſed againſt many of the Nobles, on account of their ſuppoſed correſpondence with Jugurtha, gave an advantage to the popular party, and they determined to improve it, by raiſing proſecutions to the ruin of perſons, either

odious

odious to the People, or obnoxious to the Equeſtrian order, who then had the power of judicature in their hands (*g*). Three inquiſitors were accordingly named by ſpecial commiſſion to take cognizance of all complaints of corruption that ſhould be brought before them; and this commiſſion was inſtantly employed to haraſs the Nobility, and to revenge the blood which had been ſhed in the late popular tumults. Lucius Calpurnius, Piſo, Beſtia, C. Cato, Spurius Albinus, and L. Opimius, all of conſular dignity, fell a ſacrifice on this occaſion to the popular reſentment. The Tribune Mamilius, upon whoſe motion this tribunal had been erected, with his aſſociates, apprehending that, upon the expiration of their truſt, the heat of the proſecutions might abate, moved the People that they might be continued in their office; and, upon finding themſelves oppoſed by the influence of the Senate and all the ordinary powers of the State, they ſuſpended, by virtue of their tribunitian power, the election of Conſuls, and for a whole year kept the republic in a ſtate of abſolute anarchy.

In this interval Aulus Albinus, left by his brother, the late Conſul, in the command of the army in Africa, determined to improve the occaſion by ſome honourable action. He left his quarters in the winter, and marched far into the country, hoping that by force or ſurprize he might poſſeſs himſelf of the Numidian treaſures or magazines. Jugurtha encouraged him in this deſign, affected fear, retired with precipitation wherever the Romans preſented themſelves; and, to encreaſe the preſumption of their general, ſent frequent meſſages to implore his pity. He at the ſame time endeavoured to open a correſpondence with the Thracians and other foreigners, then ſerving in the Roman camp. Some of theſe he corrupted; and, when he

(*g*) Cicero de Claris Oratoribus. Saluſt. in Bell. Jugurth.

had

BOOK II. had drawn the Roman army into difficult ſituations, and prepared his plan for execution, he ſuddenly advanced in the night to the Roman ſtation; and the avenues being entruſted, as he expected, to the Thracians and Ligurians whom he had corrupted, and by whom he was ſuffered to paſs, he ſurpriſed the Romans in their camp, and drove them from thence in great confuſion to a neighbouring height, where they enjoyed, during night, ſome reſpite from the enemy; but without any reſource for ſubſiſtence, or hopes of recovering their baggage.

In the morning Jugurtha deſired to confer with the Prætor; and repreſenting how much the Romans, ſtripped of their proviſion and equipage, were then in his power, made a merit of offering them quarter, on condition that they would conclude a treaty of peace, and in ten days evacuate his kingdom.

Theſe terms were accordingly accepted: but the capitulation, when known at Rome, gave occaſion to much indignation and clamour. It was voted by the Senate not to be binding, and the Conſul Albinus, in order to repair the loſs of the Public, and to reſtore the credit of his own family, made haſty levies, with which he propoſed to renew the war in Numidia. But not having the conſent of the Tribunes to this meaſure, he was obliged to leave his forces behind him in Italy, and joined the army without being able to bring any reinforcement. He found it in no condition to face the enemy, and was contented to remain in the province till a ſucceſſor ſhould be named.

U. C. 644. Q. Cæcilius Metellus Numidicus, M. Junius Silanus.

Reſentment of the diſgraces incurred in Africa, and fear of invaſion from the Cimbri, who, having traverſed Spain and Gaul, were ſtill on their march, appear to have calmed for a little time the animoſity of domeſtic factions at Rome. The conſular elections were ſuffered to proceed, and the choice of the People fell on Quintus Cæcilius Metellus and M. Junius

M. Junius Silanus; the first was appointed to the command of the army in Numidia, the second to observe the motions of the Cimbri on the frontiers of Gaul, and to turn them aside, if possible, from the territory of Rome. About this time those wandering nations had sent a formal message to the Romans, desiring to have it understood on what lands they might settle (*h*), or rather, over what lands they might pass in migration with their herds. This request being refused by the Senate, they opened a passage by force, overcame in battle the Consul Silanus, and, probably without intending to retain any conquest, continued to move wherever the aspect of the country tempted their choice.

Metellus proceeded to Africa with a considerable reinforcement; and, having spent some time in restoring the discipline of the army, which had been greatly neglected, and in training his new levies to the duties and hardships of the service, he directed his march to the enemy's country, and in his way had frequent messages from Jugurtha, with professions of submission and of a pacific disposition.

When the Roman army entered on the territory of Numidia, they accordingly found the country prepared to receive them in a friendly manner; the people in tranquillity, the gates of every city left open, and the markets ready to supply them with necessaries.

These appearances, with the known character of Jugurtha, creating distrust, only excited the vigilance of Metellus. They even provoked him to retort on the Numidian his own insidious arts. He tampered with Bomilcar and the other messengers of Jugurtha to betray their master, and promised them great rewards if they would

(*h*) Florus, lib. iii. Liv. lib. lxv.

BOOK II. deliver him into the hands of the Romans either living or dead.

Jugurtha, not conſidering that his known character for falſehood muſt have deſtroyed the credit of all his profeſſions, even if he ſhould at any time think proper to make them ſincere, and truſting to the effect of his ſubmiſſive meſſages in rendering the enemy ſecure, made a diſpoſition to profit by any errors they ſhould commit, and hoped to circumvent and deſtroy them on their march. For this purpoſe he waited for them on the deſcents of a high mountain, over which they were to paſs in their way to the Muthul, a river which helped to form the ſituation of which he was to avail himſelf. He accordingly lay concealed by its banks until the enemy actually fell into the ſnare he had laid for them. With the advantage of the ground and of numbers, he maintained, during the greater part of the day, a conteſt with troops who poſſeſſed, againſt his irregulars, a great ſuperiority of order, diſcipline, and courage; but not having found the Romans, as he expected, in any degree off their guard, he was, in the event of that day's action, obliged to fly with a few horſe to a remote part of his kingdom.

This victory obtained over Jugurtha, appeared to be an end of the war. His army was diſperſed, and he was left with a few horſe men, who attended his perſon, to find a place of retreat, and to chuſe a ſtation at which to aſſemble new forces, if he meant to continue the war.

The Numidians were inured to action. The frequent wars of that continent, the wild and unſettled ſtate of their own country, made the uſe of horſes and of arms familiar: but ſo void was the nation of military policy, and its people ſo ignorant of order, that it was ſcarcely poſſible for the king to fight two battles with the ſame army. If victorious, they withdrew with their plunder; if defeated,

defeated, they ſuppoſed all military obligations at an end: and in either caſe, after an action, every one fled where he expected to be ſooneſt in ſafety.

CHAP. IV.

Metellus, after the late engagement, finding no enemy in the field, was for ſome time uncertain to what part of the kingdom Jugurtha had directed his flight. But having intelligence that he was in a new ſituation aſſembling an army, and likely to form one ſtill more numerous than any he had yet brought into the field, tired of purſuing an enemy on whom defeats had ſo little effect, he turned away to the richer and more cultivated parts of the kingdom. Here the plunder of the country might better repay his labour, and the enemy, if he ventured to defend his territory, might more ſenſibly feel his defeats. Jugurtha perceiving his intention, drew his forces towards the ſame quarter, and ſoon appeared in his rear.

While Metellus was endeavouring to force the city of Zama, Jugurtha pierced into his camp, and, though repulſed from thence, took a poſt, by which he made the ſituation of the Romans, between the town and his own army, ſo uneaſy, as to oblige them to raiſe the ſiege.

This the Numidian prince thought a proper opportunity to gain ſome credit to his pacific profeſſions. He made an offer accordingly to ſurrender at diſcretion, and actually delivered up great part of his arms and military ſtores; but this purpoſe, if ever ſincere, he retracted, and again had recourſe to arms.

U. C. 645. Servius Sulpicius Galba, Q. Hortenſius Nepos, Marcus Aurelius Scaurus.

The victory which had been obtained in Africa, flattered the vanity of the Roman People, and procured to Metellus in the quality of Proconſul, a continuation of his former command. The troops he had poſted in Vaca being cut off by the inhabitants, he made haſty marches in the night, ſurpriſed the place, and, without having allowed the

the authors of that outrage more than two days to enjoy the fruits of their perfidy, amply revenged the wrong they had done to the Roman garrison.

But the success of Metellus did not hasten the ruin of Jugurtha so fast as his own misconduct, in the jealousy and sanguinary measures which he took to suppress plots and conspiracies, either real or supposed to be formed against his life, by persons the most in his confidence.

Bomilcar, still carrying in his mind the offers which had been made by Metellus, and willing to have some merit with the Romans, into whose hands he and all the subjects of Jugurtha were likely soon to fall, formed a design against his master, and drew Nabdalsa, a principal officer in the Numidian armies, to take part in the plot. They were discovered in time to prevent the execution of their design, but they made Jugurtha from thenceforward consider the camp of his own army as a place of danger to himself, rendered him distrustful, timorous, and unquiet; frequently changing his company and his quarters, his guards and his bed. Under these apprehensions, by which his mind was considerably disordered and weakened, he endeavoured, by continual and rapid motions, to make it uncertain where he should be found; and he experienced at last, that private assassination and breach of faith, although they appear to abridge the toils of ambition, are not expedient even in war; that they render human life itself, for the advantages of which war was undertaken, no longer eligible or worthy of being preserved. Weary of his anxious state, he ventured once more to face Metellus in the field, and being again defeated, fled to Thala, where he had left his children and the most valuable part of his treasure. This city too, finding Metellus had followed him, he was obliged to abandon, and, with his children

and

and his remaining effects, fled from Numidia, first to the country of the Getuli, barbarous nations, that lived among the mountains of Atlas south of Numidia, and whom he endeavoured to arm in his cause. From thence he fled to Bocchus king of Mauritania, whose daughter he had married; and having persuaded this prince to consider his quarrel with the Romans as the common cause of all monarchies, who were likely in succession to become the prey of this arrogant and insatiable power, he prevailed on the Mauritanian to assemble his army, and to attempt the relief of Numidia.

Jugartha, in conjunction with his new alley, directed his march to Cirta, and Metellus perceiving his intention, took post to cover that place. But while he was endeavouring, by threats or persuasions, to detach the king of Mauritania from Jugurtha, he received information from Rome that he was superseded in the command of the army; and from thenceforward protracted the war, under pretence of messages and negociations, and possibly inclined to leave it with all its difficulties entire to his successor.

Marius, having served under Metellus, had with great difficulty, and not without some expressions of scorn on the part of his general, obtained leave to depart for Rome, where he meant to stand for the Consulship. He accordingly appeared in the capacity of candidate for this honour, and by vaunting, instead of concealing, the obscurity of his ancestors; by inveighing against the whole order of Nobility, their dress, their city manners, their Greek learning, their family images, the stress they laid on the virtue of their forefathers to compensate the want of it in themselves; but more especially by arraigning the dilatory conduct of Metellus, and by promising a speedy issue to the war, if it should be entrusted to himself; a promise, to which the force and ability he had shown

BOOK II.

in all the ſtations he had hitherto filled, procured him ſome credit; he ſo far won upon the People, that he was choſen conſul, in oppoſition to the intereſt of the Nobles, and to the influence of all the leading men of the Senate. His promotion was in a particular manner galling to Metellus, whoſe reputation he had attacked, and to whoſe ſtation in Africa, by an expreſs order of the People, in contempt of the arrangement which had been made by the Senate, he was now to ſucceed.

U. C. 646. L. Caſſius Longinus, C. Marius.

Upon the nomination of Marius, the party who had oppoſed his preferment did not attempt to withhold the reinforcements which he aſked for the ſervice in which he was to command. They even hoped to encreaſe his difficulties by ſuffering him to increaſe the eſtabliſhment of his province. The wealthier claſs of the People alone were yet admitted into the legions; and being averſe to ſuch diſtant ſervices, were likely to conceive a diſlike to the perſons by whom they were forced to inliſt. Marius in this capacity might loſe ſome part of the popular favour which he now enjoyed, and become leſs formidable to his rivals in the State. But this crafty and daring politician, by ſlighting the laws which excluded the neceſſitous citizens from ſerving in the legions, found in this claſs of the People a numerous and willing ſupply. They crowded to his ſtandard, and filled up his army without delay, and even without offence to thoſe of a better condition, who were pleaſed with relief from this part of their public burdens.

This was a remarkable and dangerous innovation in the Roman State, and may be mentioned among the ſteps which haſtened the ruin of the commonwealth. From this time forward the ſword began to paſs from the hands of thoſe who were intereſted in the preſervation of the republic, into the hands of others who were willing to make it a prey. The circumſtances of the times were ſuch, indeed, as to give warning of the change. The ſervice of a legionary

a legionary ſoldier was become too ſevere for the leſs indigent order of citizens, and now opened to the neceſſitous the principal road to profit, as well as honour. Marius, to facilitate his levies, was willing to gratify both; and thus gave beginning to the formation of armies who were ready to fight for or againſt the laws of their country, and who, in the ſequel, ſubſtituted battles for the bloodleſs conteſts which hitherto had ariſen from the diviſions of party.

The new conſul, unrivalled in the favour of the People, obtained whatever he required; and, being completely provided for the ſervice to which he was deſtined, embarked for Africa with a great reinforcement, and in a few days arrived at Utica. Upon his arrival, the operations of the war were reſumed, and carried into the wealthieſt provinces of Numidia, where he encouraged his army with the hopes of ſpoil. The new levies, though compoſed of perſons hitherto excluded from the military ſervice, were formed by the example of the legions already in the field, and who were now well appriſed of their own ſuperiority to the African armies. Bocchus and Jugurtha, upon the approach of this enemy, thought proper to ſeparate, and took different routes into places of ſafety in the more difficult and inacceſſible parts of the country.

This ſeparation was made at the ſuggeſtion of Jugurtha, who alleged that, upon their appearing to deſpair, and to diſcontinue all offenſive operations, the Roman general would become more ſecure, and more open to ſurpriſe. But Marius, without abating his vigilance, preſſed where the enemy gave way, over-ran the country, and took poſſeſſion of the towns they had left. To rival the glory which Metellus had gained in the reduction of Thala, he ventured on a like enterpriſe, in the face of ſimilar difficulties, by attacking Thapſa, a place ſurrounded with deſarts, and in the midſt of

a land

BOOK II. a land deſtitute of water, and of every reſource for an army. Having ſucceeded in this deſign, he ventured, in his return, to attack another fortreſs, in which, it being ſuppoſed impregnable, the royal treaſures were lodged. This ſtrong hold was ſituated on a rock, which was every where, except at one path that was fortified with ramparts and towers, faced with ſteep and inacceſſible cliffs. The garriſon permitted the firſt approaches of the Romans with perfect ſecurity, and even deriſion. After ſome fruitleſs attacks, Marius with ſome imputation of folly in having made the attempt, was about to deſiſt from the enterpriſe, when a Ligurian, who had been uſed to pick ſnails on the cliffs over which this fortreſs was ſituated, found himſelf in ſearch of his prey, and by the growing facility of the aſcent, led to a height from which he began to have hopes of reaching the ſummit. He accordingly ſurmounted all the difficulties in his way; and the garriſon being then intent on the oppoſite ſide of the fortreſs to which the attack was directed, he returned unobſerved. This intelligence he carried to Marius, who without delay ordered a detachment of choſen men, with an unuſual number of trumpets and inſtruments of alarm, to follow the direction of this guide. He himſelf, to divert the attention of the beſieged, and to be ready, on receiving the propoſed ſignal from within, to make a vigorous and deciſive aſſault, advanced to the walls. The Ligurian, with much difficulty, endeavoured to effect his intentions. The ſoldiers who followed him were obliged to untie their ſandals and their helmets, to ſling their ſhields and their ſwords, and, at difficult parts of the rock, could not be perſuaded to advance until their guide had repeatedly paſſed and repaſſed in their ſight, or had found ſtumps and points of the ſtone at which they could faſten cords to aid their aſcent. The ſummit was to be gained at laſt by the branches of a tree

a tree which, being rooted in a cleft of the rock, grew up to the edge of the precipice. By the branches of this tree the whole party paſſed, and, climbing near to its top, landed at laſt on the ſummit. They inſtantly ſounded their trumpets and gave a ſudden alarm. The beſieged, who had been drawn to the walls to reſiſt the enemy who attacked them in front, were aſtoniſhed with this ſound in their rear, and ſoon after, greatly terrified with the confuſed flight from behind them of women, children, and men unarmed, and being at the ſame time vigorouſly attacked at their gates, were no longer able to reſiſt, ſuffered the Romans to force their way at this entrance, and in the end to become maſters of the fort.

While Marius was engaged in the ſiege of this place he was joined by the Queſtor Sylla, who had been left in Italy to bring up the cavalry, which were not ready to embark at the departure of the Conſul. This young man was of a patrician and noble family, but which had not, for ſome generations, borne any of the higher offices of State. He himſelf partook in the learning which then ſpread into Italy, from a communication with the Greeks, and had paſſed the early part of his life in town diſſipation or in literary ſtudies, of which the laſt were conſidered at this time at Rome as a ſpecies of corruption almoſt equal to the firſt. He was yet a novice in war, but having an enterpriſing genius, ſoon became an object of reſpect to the ſoldiers, and of jealouſy to his general, with whom he now laid the foundation of a quarrel more fatal to the commonwealth than that which had ſubſiſted between the preſent and preceding commander in this ſervice.

The king of Numidia, ſtung by the ſenſe of what he had already loſt, and expecting no advantage from any further delays, determined, in conjunction with Bocchus, to make a vigorous effort,

and

BOOK II. and to oblige Marius, who was then moving to his winter quarters, yet to hazard a battle for the preservation of what he had acquired in the preceding campaign. The king of Mauritania had been inclined to remain neutral, or to enter on a ſeparate treaty with the Romans; but being promiſed a third part of the kingdom of Numidia, in caſe the Romans were expelled from thence, and the war ſhould be brought to a happy concluſion, he once more brought forward his army, and joined Jugurtha.

The proſperous ſtate of the Romans, undiſturbed for ſome time by the oppoſition of any enemy in the field, inſpired them with ſome degree of negligence or ſecurity, by which they were expoſed to ſurpriſe. About an hour before the ſetting of the ſun, their march was interrupted by the attack of numerous parties, who, without any ſettled order, occupied the fields through which they were to paſs, and ſeemed to intend, by aſſailing them on every ſide, to begin the night with a ſcene of confuſion, of which they might afterwards more effectually avail themſelves in the dark. In an action begun under theſe diſadvantages, it was ſuppoſed, that the Roman army might be entirely defeated, and in a country with which they were not acquainted, and in circumſtances for which they were not at all prepared, being unable to effect a retreat, ſurrender at diſcretion.

Jugurtha, with his uſual intrepidity and conduct, profited by every circumſtance which preſented itſelf in his favour. He brought the troops, of which his army was compoſed, whether Getulians or Numidians, horſe or foot, to haraſs the enemy in their different ways of fighting, and where they could eaſieſt make their attacks. Wherever a party was repulſed, he took care to replace it; and ſometimes affected to remit his ardour, or to fly with every appearance of panic, in order to tempt the

Romans to break from their ranks. Marius, notwithstanding, with great dexterity and presence of mind, maintained the form of his march; and, before night, got possession of some heights on which he could secure his army. He himself, with the infantry, chose that which had the steepest ascent, and ordered Sylla, with the cavalry, to take his post on a smaller eminence below. That his position might not be known to the enemy, he prohibited the lighting of fires, and the usual sounding of trumpets at the different watches of the night. The Numidians had halted on the plain where night overtook them, and were observed, at break of day, reposing in great security, and without any seeming apprehension of danger from an enemy, who was supposed to be flying, and who, on the preceding day, had, with some difficulty, escaped from their hands. Marius resolved to attack them in this situation, and gave orders, which were communicated through the army, that, at a general sound of the trumpets, evere man should stand to his arms, and with a great shout, and beating on his shield, make an impetuous attack on the enemy. The design, accordingly, succeeded. The Numidians, who had often affected to fly, were driven into an actual rout. Great numbers fell in the flight, and many ensigns and trophies were taken.

After this victory, Marius, with his usual precautions, and without remitting his vigilance, on a supposition that the enemy was dispersed, directed his march to the towns on the coast, where he intended to fix his quarters for the winter. Jugurtha, well apprised of his route, proposed again to surprise him before he should reach the end of his journey; and, for this purpose, avoided giving him any premature or unnecessary cause of alarm. He prepared to attack the Roman army in the neighbourhood of Cirta, which was to be the end of

BOOK II.

of their labours, and near to which he ſuppoſed that they would think themſelves ſecure from any further attempts of their enemy. In the execution of this deſign, he, with the greateſt ability, conducted his troops to the place of action, and there too made every effort of conduct and reſolution. But the match being unequal, he was obliged to give up the conteſt; and, with his ſword and his armour all bathed in blood, and almoſt alone, is ſaid to have left a field, in which, for the firſt time, he had taken no precautions for re-aſſembling his army, and on which his Numidians were accordingly routed, to rally no more!

U. C. 647. C. Attilius Serannus, Quintus Servilius Cætico.

Upon theſe repeated defeats, Bocchus deſpaired of the fortunes of Jugurtha, and ſent a deputation to Marius, requeſting a conference with himſelf, or with ſome of his officers. He obtained an interview with Sylla and Manlius; but, upon their arrival, had taken no fixed reſolution, and was ſtill kept in ſuſpence, by the perſuaſion of thoſe of his court who favoured the intereſt of Jugurtha. Marius, being continued in his command, reſumed the operations of the war, and was about to attack the only place which yet remained in the hands of the enemy. When the king of Mauritania, alarmed by this circumſtance, took his reſolution to ſue for peace, he ſent a deputation of five choſen perſons, firſt to the quarters of Marius, and, with this general's permiſſion, ordered them to proceed from thence to Rome. Theſe deputies, being admitted into the Senate, made offers of friendſhip in the name of their maſter; and were informed, in return, that he muſt give proofs of his friendly diſpoſition to the Romans, before they could believe his profeſſions, or liſten to any terms of peace. When this anſwer was reported to Bocchus, he was not at a loſs to underſtand that the Romans wiſhed him to deliver up the king of Numidia into their hands; and ſeems to have conceived the deſign

ſign of purchaſing peace, even on theſe terms. Sylla being already perſonally known to him, he made choice of this officer, as the perſon with whom he would treat, and deſired he might be ſent to his quarters. The Roman Quæſtor accordingly ſet out with a ſmall party. On the way he was met by Volux, the ſon of the king of Mauritania, with a thouſand horſe: him he conſidered as of doubtful intention, whether come as a friend or an enemy; but coming with profeſſions of friendſhip from the king his father, and with orders to eſcort the Roman Quæſtor, they proceeded together. On the ſecond day after this junction, Volux came in haſte to the quarters of Sylla, and informed him, that the advanced party had diſcovered Jugurtha poſted on their route, with a conſiderable force, and earneſtly preſſed the Romans to endeavour to make their eſcape in the night.

Sylla could no longer command his ſuſpicions, and, ſenſible that he had imprudently, without hoſtage or other ſecurity, ventured too far on the faith of an African prince, proudly refuſed to alter his march; deſired that the Mauritanian prince, if he thought proper, ſhould depart; but informing him, at the ſame time, that the Roman people would know how to revenge the injury done to their officers, and would not fail to puniſh the perfidy of the king his father. Volux made proteſtations of his innocence; and as the Roman Quæſtor could not be prevailed on to ſave himſelf by flight, this prince inſiſted to remain, and to ſhare in his danger. They accordingly kept on their way, paſſed through the troops of Jugurtha, who, though diſpoſed to offer violence to the Romans, had yet ſome meaſures to obſerve with the king of Mauritania, whoſe ſon was in the company; and while, contrary to his uſual character, he remained undecided, the prey eſcaped him, and got out of his reach.

Jugurtha

BOOK II.

Jugurtha ſent perſons of confidence immediately to counteract the negotiations of Sylla at the court of Bocchus; and each of theſe parties ſolicited the king of Mauritania to betray the other. The Numidians endeavoured to perſuade him, that, with ſuch an hoſtage as Sylla in his hands, he might ſtill expect ſome honourable terms from the Romans; and Sylla, on the other part, repreſented, that, as the king of Mauritania had offended the Romans, by abetting the crimes of Jugurtha, he muſt now expiate his guilt by delivering him over to juſtice. It was the inclination of this prince to favour Jugurtha; but it was his intereſt, as well as his intention, to gain the Romans. While he was ſtill in ſuſpence, he gave equal encouragement to both parties; and, without being finally determined what he ſhould do, appointed the Roman Quæſtor and the king of Numidia to meet him without any eſcort, or number of men in arms, reſerving to the laſt moment the power of determining againſt the one or the other. He had placed a body of his own troops in ambuſh, and, ſoon after the parties were met, gave a ſignal, which his men underſtood to be for ſeizing Jugurtha. The Numidians, who attended their king, were ſlain; he himſelf was put in chains, and delivered up to the Roman Quæſtor. Sylla, with the exultation of a hunter, received this lion in his toils; and, though he lived to perform much greater actions, ſtill appears to have valued himſelf moſt on the ſucceſs of this commiſſion. He boaſted ſo much of his prize, that he became, from that moment, an object of jealouſy to Marius, and was conſidered as a perſon advancing too faſt in the ſame career of renown *(i)*. It was underſtood among the Romans, that the commander in chief, upon any ſervice, in any diviſion or province of

(*i*) Plutarch. in Mario & in Sylla.

the

the empire, enjoyed the triumph for victories gained, even in his absence, by his lieutenants, or by those who served under his command; and Marius probably thought that Sylla took more to himself than was due upon this occasion. The desire of being the person who put the finishing hand to any service, however accomplished, was not peculiar to these officers. It was an effect of the Roman policy in making the rewards of honour depend so much on events, without regard to the means which were employed to produce them. From this circumstance, the citizens of this republic were as desirous of having the reputation of successful adventures affixed to their names, as courtiers in modern Europe are desirous to have titles of nobility, or badges of their sovereign's favour.

The war being thus at an end, Marius appointed a thanksgiving; and, while he was offering the customary sacrifices, the news arrived from Rome that the People had dispensed with the law in his favour, and again had made choice of him for Consul of the following year. This choice was determined by the great alarm which the Romans had taken on the approach of the barbarous nations, who, like a meteor, had, for some years, traversed the regions of Europe, and, with uncertain direction, were said to destroy wherever they moved. The Romans had repeatedly stood in their way, and had provoked a resentment, which these barbarians were supposed, in haste, to wreck upon Italy. They were at first heard of under the name only of Cimbri; but were now known to consist of many nations, under the appellations of Ambrones, Teutones, Tectosagi, and others; and had gained accessions of force by the junction of the Tigurini, and other Gaulish nations, who, either by choice or compulsion, were made a part in this mighty

BOOK II.

U. C. 648. P. Rutilius Rufus, Cn. Mallius.

mighty hoſt, whoſe movements the Romans conſidered as chiefly directed againſt themſelves.

Beſides the armies commanded by the Conſuls Carbo and Silanus, who had fallen victims to this barbarous enemy, other conſiderable bodies, under Scaurus and Caſſius, had periſhed by their hands; and other misfortunes, from the ſame quarter, were coming apace. At the time that Marius had finiſhed the war with Jugurtha, Quintus Servius Cæpio, having the former year commanded in Gaul, where he deſtroyed or pillaged the city of Toloſa, and made a great booty, conſiſting, according to Juſtin, of one hundred thouſand pounds weight of gold, and one million five hundred thouſand pounds weight of ſilver, was now, in his turn, to meet with this enemy; the Conſul Mallius or Manilius had orders to join him; and all the troops they could aſſemble were thought neceſſary to withſtand the Barbarians. Theſe generals united their forces on the Rhône, but without a proper diſpoſition to act in concert; they were accordingly defeated in battle; eighty thouſand Romans, amongſt whom were the two ſons of the Conſul Manilius, were killed in the action; forty thouſand attendants of the army were maſſacred in cold blood. Both camps were taken.

After this victory the lords of the Cimbri, being aſſembled in council, called before them Aurelius Scaurus, formerly a Roman Conſul, lately ſecond in command to one of the vanquiſhed armies, and now a priſoner. They queſtioned him with reſpect to the forces in Italy, and the route to be taken acroſs the Alps: To theſe queſtions he made anſwer, That it would be in vain for them to invade that country: That the Romans, on their own territory, were invincible. And, in return to theſe words, it is ſaid, that a Barbarian ſtruck the priſoner with his dagger to the heart. It is further ſaid of this barbarous council, that they came to a reſolution

resolution to spare no prisoners, to destroy the spoils of the slain, to cast all the treasures of gold and silver into the nearest river, to destroy all horses with their saddles and furniture, and to save no booty whatever; and it must be confessed, that in this their resolutions were guided by a policy well accommodated to the manner of life they chose to maintain. Wealthy possessions frequently disqualify even settled nations for the toils of war, but to migrating tribes, they would be certain impediments and the means of ruin *(k)*.

These accounts of the character of an enemy, and of the fate of Roman armies which ventured to encounter them, were received at Rome with amazement and terror. The citizens changed their dress, and assumed the military habit. Rutilius, the Consul, who had remained in the administration of affairs in Italy, had instructions from the Senate to array every person that was fit to bear arms. . No one who had attained the military age was exempted. It is mentioned, that the son of the Consul himself was turned into the ranks of a legion. There was little time to train such levies; and the usual way was thought insufficient. The fencing-masters, employed to train gladiators for the public shews, were brought forth, and distributed to instruct the citizens in the use of their weapons (*l*). But the expedient, on which the People chiefly relied for deliverance from the dangers which threatened them, was the nomination of Marius to command against this terrible enemy.

This officer, upon hearing of his re-election, set out for Italy, and, with his legions and their captives, entered Rome in triumph; a spectacle, of which Jugurtha, in chains, with his unfortunate

(*k*) Orosius, lib. v. c. 16. Eutrop. lib. v.
(*l*) Valer. Max. lib. ii. c. 3.

children,

BOOK II. children, were the principal figures. When the procession was over, the captive king was led to a dungeon, under orders for his immediate execution. As he was about to be stripped of his ornaments and robes, the executioner, in haste to pluck the pendants from his ears, tore away the flesh, and thrust him naked into a dungeon below ground. He descended into this place with a smile, saying, "What a cold bath is here!" He pined about six days, and expired. A king and an able commander would, in such a situation, have been an object of respect and of pity, if we did not recollect, that he was the murderer of Adherbal and Hiempsal, the innocent children of his benefactor. And if we did not receive some consolation from being told, that his own children, who were likewise innocent, were exempted from the lot of their father, and honourably entertained in Italy.

Marius, in this triumph, is said to have brought into the treasury three thousand and seven pounds, or thirty thousand and seventy ounces of gold, and fifty-seven thousand seven hundred and fifty ounces of silver; and in money, two hundred and eighty-seven thousand denarii (*m*). He entered the Senate, contrary to custom, in his triumphal robes, probably to insult the Nobles, who used to despise him as a person of obscure extraction, born in a country town, and of a mean family: but finding that this was considered as an act of petulance, and generally condemned, he withdrew and changed his dress.

The kingdom of Numidia was dismembered; part was put into the possession of Bocchus as a reward for his late services; and part reserved for the surviving heirs of Massinissa.

(*m*) About 10,000l.

As

CHAP. IV.

U. C. 649. Consuls; C. Marius 2do, C. Flavius Fimbria.

As the law respecting the Consulate now stood, no one could be elected in absence, nor re-elected into this office, till after an interval of ten years. Both clauses were dispensed with in favour of Marius, under pretence of continuing him at the head of the army; but as he might still have remained at the head of the army, and have rendered the same services to the State in the quality of Proconsul, his re-election may be ascribed to his own ambition, and to his jealousy of other rising men in the State. Being considered as head of the popular party, his elevation was an object of zeal to the Tribunes, and was intended to mortify those who affected the distinctions of antient family. Contrary to the usual form, and without casting lots, he was preferred to his colleague in the appointment to command in Gaul. Having his choice of all the armies at that time in Italy, he took the new levies, lately assembled and disciplined by Rutilius, in preference to the veterans, who had served in Africa under Metellus and himself. It is probable that he was determined in this choice, more by his desire to gratify the veterans, who wished to be discharged, than by the consideration of any supposed superiority in the discipline to which the new levies had been trained (*n*).

Upon the arrival of Marius in his province it appeared, that the alarm taken for the safety of Italy was somewhat premature. The Barbarians in their battles only meant to maintain the reputation of their valour, or to keep open the tract of their migrations. They had found the lands, from about the higher parts of the Danube and the Rhine, through Gaul, and across the Pyrennees into Spain, and to the ocean, convenient for their purpose, and sufficiently extensive. They had yet meditated no war with the Romans, or any

(*n*) Frontius de Stragemat. lib. iv. c. 2.

BOOK II.

other nation; but did not decline the encounter where they met with reſiſtance. At preſent they continued their migrations to the weſtward, without any intention to croſs the Alps, or to viſit the nations who inhabited within thoſe mountains.

We have nothing recorded in hiſtory concerning the movements of theſe wandering nations, during the two ſubſequent years, except what is related of their adventure with Fulvius, a Roman Prætor, probably in Spain, who, in return for hoſtilities committed in his province, having made a feint to draw the attention of their warriors, ſurpriſed and ſacked their camp. Under the apprehenſion, however, of their return towards Gaul and Italy, Marius continued to be elected Conſul, and was repeatedly named to the command of the army that was deſtined to oppoſe them. His party at Rome had, at this time, beſides the exigency which juſtified their choice, many other advantages againſt their antagoniſts, and maintained the envious quarrel of the lower people againſt the nobility with great animoſity and zeal.

CHAP.

CHAP. V.

Review of the Circumſtances which revived the popular party.—Farther Account of Laws and Regulations under their Adminiſtration.—State of the Empire.—Fourth Conſulate of Marius.—Continued Migrations of the barbarous Nations.—Defeated by Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy.

THE Senate had, for ſome time after the ſuppreſſion of the troubles which were raiſed by Fulvius and the younger Gracchus, retained its authority, and reſtrained the Tribunes of the People within ordinary bounds; but by the ſuſpicions which aroſe againſt them, on the ſubject of their tranſactions with Jugurtha, and by the miſcarriages of the war in Numidia, they again loſt their advantage. It is difficult to aſcertain the real grounds of theſe ſuſpicions. Salluſt ſeems to admit them in their utmoſt extent, and repreſents the whole order of nobility as mercenary traders, diſpoſed to ſell what the republic entruſted to their honour. That the preſents of Jugurtha were ſometimes accepted, and produced ſome effect, is not to be doubted; but that the ariſtocracy of Rome, during its ſhort reign, was ſo much corrupted, is ſcarcely to be credited. Such a meaſure of corruption muſt have rendered the State a prey to every foreign power that was in condition to miſlead its councils, and is not conſiſtent with that ſuperiority which the Romans then generally poſſeſſed in their negotiations, as well as in their wars. The charge itſelf favours too much of that envy with which the lower claſs of the People at all times interpret the conduct

CHAP. V.

BOOK II. duct of their superiors, and which was greatly countenanced by the partizans of Cæsar, at the time when Salluſt wrote, in order to vilify and reduce the Senate. We cannot, however, oppoſe mere conjecture to the poſitive teſtimony of Salluſt, corroborated by ſome ſuſpicious circumſtances in the tranſactions of the times. Among theſe we may recollect the patronage which Jugurtha met with at Rome, contrary to the profeſſions of the Romans, in behalf of juſtice, and the uncommon number of Senators degraded, at that time, by authority of the Cenſors, Q. Cæcilius Metellus and Cn. Domitius Ahenobarbus *(a)*, which has been already mentioned in its place.

Whatever may have been the real occaſion of the cry then ſubſiſting againſt the Nobles, we have ſeen that the popular party, availing themſelves of it, and giving it all manner of countenance, found means to recover great part of their loſt power. The Tribunes, having obtained the eſtabliſhment of a ſpecial commiſſion for the trial of all thoſe who had received bribes from Jugurtha, made the people conſider their own act in conſtituting a court of inquiry, as ſufficient to evince the reality of the crime. The proſecutions which continued to be carried on for two years, upon this ſuppoſition, ſerved more than the ſubject of any former diſpute to alienate the minds of men from each other, and from the public. Queſtions were more of a private than of a public nature, and occupied the worſt of the human paſſions, envy, malice, and revenge. One party learned to cheriſh falſehood, ſubordination, and perjury; the other lived in continual fear of having ſuch engines employed againſt themſelves.

The People, in their zeal to attack the Nobility under any pretence, made no diſtinction between

(a) It is already mentioned, that thirty-two Senators were ſtruck off the rolls by theſe magiſtrates.

errors

errors and crimes; and, contrary to the noble ſpirit of their anceſtors, treated misfortune, incapacity, or treachery, with equal rigour. One Tribune had extended the uſe of the ſecret ballot to the trial of leſſer crimes (*b*); another, upon this occaſion, took away all diſtinctions, and introduced it in the trial of capital crimes alſo (*c*); ſo that the judge, without being accountable, indulged his ſecret malice or partial favour (*d*). CHAP. V.

Laws were made to promote the intereſt, as well as to gratify the animoſity of the lower people. By the Agrarian law of Gracchus, certain limits were ſet to eſtates in land; but, in order to render the exceſs of lands, in the hands of any particular perſon, immediately uſeful to the People, it was permitted, by an amendment made during the low ſtate of the ariſtocratical party, that perſons in poſſeſſion of more than the legal meaſure of land, might retain their eſtates, but ſubject to a rent to be collected for the benefit of the poorer citizens; and thus it was propoſed, that without any trouble in taking poſſeſſion of lands, or removing from the city, the favourites of the party ſhould be accommodated, and reap the fruits of ſedition and idleneſs unimpaired (*e*).

It was propoſed, by the Conſul Servilius Cæpio, that the Senate, whoſe members were perſonally ſo much expoſed to proſecutions, ſhould have their ſhare likewiſe in compoſing the Juries, a privilege of which, by the edict of Gracchus, they had been deprived (*f*). In whatever degree this propoſal was adopted, it was again expreſsly repealed upon the motion of Servilius Glaucia. And Cæpio ſoon after experienced, in his own perſon, the animoſity of the popular faction, being tried for miſcarriage in his battle with the Cimbri. He was con- U. C. 647. Lex Servilia de Judiciis.

(*b*) Lex Caſſia Tabellaria.
(*c*) Lex Cælia Tabellaria.
(*d*) Cicer. de Legibus, lib. iii.
(*e*) Appian. de Bell. Civ. lib. i.
(*f*) Valer. Max. lib. v. c. 9.

demned

BOOK II. demned by the judges, and afterwards, in virtue of a regulation obtained by Caſſius, one of the Tribunes, declared, in conſequence of that ſentence, diſqualified to hold a place in the Senate (*e*).

Beſides the tranſactions already mentioned, the following particulars, overlooked in the hurry of recording military operations and events, may ſerve ſtill farther to characterize the times. M. Junius Silanus was tried for miſconduct againſt the enemy; M. Emilius Scaurus, firſt on the roll of the Senate, was brought to trial for contempt of religion; but both acquitted. The ardour for theſe proſecutions and popular regulations, continued until the ſecond Conſulate of Marius, when M. Marcius Philippus, one of the Tribunes, moved to reſtore the law of Tiberius Gracchus reſpecting the diviſion of eſtates in land; and, in his ſpeech in ſupport of this motion, affirmed, that there were not two thouſand families in Rome poſſeſſed of any property in land whatever (*f*). This motion, however, was withdrawn.

Among the crimes which the populace were now ſo eager to puniſh, fortunately that of peculation or extortion in the provinces was one. To facilitate complaints on this ſubject, not only perſons having an immediate intereſt in the caſe, but all to whom any money or effects injuriouſly taken might have otherwiſe come by inheritance, were intitled to proſecute for this offence; and any alien, who convicted a Roman citizen of this crime, ſo as to have him ſtruck off the rolls of the People, was himſelf to be inrolled inſtead of the citizen diſplaced (*g*).

Domitius, one of the Tribunes, attacked the ariſtocratical conſtitution even of the prieſthood, and endeavoured to transfer the right of election

(*e*) Aſconius Pædianus in Corneliana Ciceronis.
(*f*) Cicer. de Officiis, lib. ii. (*g*) Cicero in Balbiana.

from

from the order itself to the People; but superstition, which continues to influence the bulk of mankind after reason has failed, here stood in his way. The custom was against him; and, in such matters, religion and custom are the same. The People, therefore, it was confessed, could not interfere without profanation; but a certain part of the People might judge of the candidates, and instruct the college of priests whom they were to chuse (*h*). The same artifice, or verbal evasion, had been already admitted in the form of electing the Pontifex Maximus, now chosen by seventeen of the Tribes who were drawn by lot (*i*).

Lex Domitia de Sacerdotiis.

During this period, a just alarm was taken on the subject of private as well as public corruption. Liberty was conceived to imply a freedom from every restraint, and to justify licence and contempt of the laws. The aids which were given to the People to enable them to subsist in profusion and idleness; the wealth that was passing to Rome in the hands of traders, contractors, and farmers of the revenue, as well as provincial officers, by whom the profits of a first appointment were lavished in public shews, fights of gladiators, and baiting of wild beasts, to gain the People in their canvas for farther preferments; these several circumstances tended, in the highest degree, to corrupt the People, and to render them unworthy of that sovereignty which they actually possessed in the prevalence of the popular faction.

The severities which were practised in certain cases, the sumptuary laws which were provided to restrain luxury, were but feeble aids to stop such a source of disorder. It is mentioned, as an instance of such severity, that some vestals were questioned at this time for a breach of that sacred obligation

(*h*) Asconius in Corneliana Ciceronis.
(*i*) Cicero de Lege Agraria.

to

BOOK II. to chaſtity, under which they were held up as a pattern of manners to the Roman women; that three of them were condemned, and, together with Roman knights, the ſuppoſed partners in their crimes, ſuffered extreme puniſhment. A temple was on this occaſion erected to the goddeſs Venus under a new title, that of the Reformer *(k)*; and prayers were to be offered up in this temple, that it might pleaſe the goddeſs to guard the chaſtity of Roman women *(l)*.

The term luxury is ſomewhat ambiguous; it is put for ſenſuality or exceſs in what relates to the preſervation of animal life; and for the effect of vanity, in what relates to the decorations of rank and fortune. The luxury of the Romans, in the preſent age, was probably of the former kind, and ſumptuary laws were provided, not to reſtrain vanity, but to govern the appetites for mere debauch. About the time that Jugurtha was at Rome, the ſumptuary law of Fannius received an addition, by which Roman citizens were not only reſtricted in their ordinary expence, but the legal quantities and ſpecies of food were preſcribed to them. The whole expence of the table was reſtricted to thirty aſſes *(m)* a day, and the meat to be ſerved up, to three or four pounds, dried or ſalted. There was no reſtriction in the uſe of herbs or vegetables of any ſort *(n)*. According to A. Gellius, the law permitted, on certain days, an expence of an hundred aſſes; on wedding-days, two hundred. It is remarkable, that this law continued to have its effect on the tables of Roman citizens after Cicero was a man *(o)*. The Epicures of his time were obliged to make up, in the cookery of their

(k) Venus Verticordia.
(l) Oroſius, lib. v. c. 15. Jul. Obſequens. Ovid. Faſt. lib. v.
(m) About two ſhillings. *(n)* Macrobius Satur. lib. ii. c. 17.
(o) Epiſt. ad Familiar. lib. vii. ad Gallum.

vegetable

vegetable diet, what was defective in that ſpecies of food. CHAP. V.

About the time of the commencement of the Numidian war, the People, according to the Cenſus, amounted to four hundred and three thouſand four hundred and thirty-ſix citizens, fit to carry arms. At this time it was that the Cenſors, Quintus Cecilius Metellus, and Cn. Domitius Ahenobarbus, expelled thirty-two members from the Senate.

While the Romans were intent on the war which ſubſiſted in Africa, they were aſſailed by enemies in ſome of the other provinces. In Spain, hoſtilities, at intervals, were ſtill renewed. In endeavouring to quell one of the revolts of the natives, the Roman Prætor was killed; in another encounter, the forces employed againſt them were cut off; and a freſh army was tranſported from Italy, to ſecure the Roman poſſeſſions.

Hoſtilities were likewiſe continued on the frontier of Macedonia, by the Scordiſci, Triballi, and other Thracian nations; and the Proconſul Rufus, by his victories in this quarter, obtained a triumph.

During this period, in the Conſulſhip of Attilius Serranus, and Q. Servilius Cæpio, the year after the firſt Conſulſhip of Marius, were born two illuſtrious citizens, M. Tullius Cicero, and Cneius Pompeius Strabo, afterwards diſtinguiſhed by the appellation of Pompey the Great. And we are now to open the ſcene in which the perſons, on whom the fate of the Roman empire was to depend, made their ſeveral entries into life, or into public buſineſs, and began to paſs through an infancy or a youth of danger, to an old age of extreme trouble, which cloſed with the ſubverſion of that conſtitution to which they were born.

Marius having, without any memorable event, paſſed the year of his ſecond Conſulſhip on the frontier

U. C. 650. Caius Marius 3tio, L. Aurelius Oreſtes.

BOOK II. frontier of Narbonne Gaul, was, by the People, still under the same apprehension of the Cimbric invasion, re-elected into the same office, and destined for his former station. This year likewise the Barbarians turned aside from his province, and left the republic at leisure to contend with enemies of less consideration, who appeared in a different quarter. Athenio, a slave in Sicily, having murdered his master, and broken open the prisons or yards in which slaves were commonly confined at work, assembled a number together, and being clothed in a purple robe, with a crown and a sceptre, affected a species of royalty, invited all the slaves of the island to assume their freedom under his protection. He acquired strength sufficient to cope with Servilius Casca, the Roman Prætor, and actually forced him in his camp. He likewise defeated the succeeding Prætor, Licinius Lucullus (*p*); and was, in the third year of the insurrection, with great difficulty, reduced by the Consul Aquilius. This revolt was at its height in this year of the third Consulship of Marius, and it was quelled in the second year after it, the rebels being surrounded in their strong holds, and obliged to surrender for want of provisions (*q*). The whole is mentioned now, that it may not recur hereafter to interrupt matters of more moment.

About the same time the Romans had been obliged to equip a naval armament under Marcus Antonius, known by the appellation of the Orator, against the Cilician pyrates, who had lately infested the seas. All that we know of this service is, in general, that it was performed with ability and success (*r*).

From Macedonia, Calpurnius Piso reported, that the victory he had gained over the Thracians had

(*p*) Florus, lib. iii. c. 19. (*q*) Ibid. lib. iv. c. 19.
(*r*) Ibid. lib. iii. c. 6. Cicero de Orator. lib. i.

enabled

enabled him to penetrate to the mountains of Rhodope and Caucasus. CHAP. V.

Such was the ſtate of the empire when Caius Marius returned from his province in Gaul, to preſide at the election of Conſuls. He was again, by the voice of the People, called upon to reſume his former truſt; but he affected, from modeſty, to decline the honour. His partizans were prepared for his acting this part, and were accordingly, by their importunities, to force him into an office which he ſo modeſtly ſeemed to decline. Among theſe, Apuleius Saturninus, at this time himſelf candidate for the office of Tribune, charged Marius with treachery to his country in propoſing to deſert the republic in times of ſo much danger; and with his reproaches prevailed ſo far as to render him paſſive to the will of his fellow-citizens, who wiſhed to re-place (*s*) him again in his former ſtation.

U. C. 651. Caius Marius 4to, L. Lutatius Catulus.

In this fourth Conſulate, the courage and military ſkill of Marius came to be actually exerted in his province. The barbarous nations, after their return from Spain, began to appear in ſeparate bodies, each forming a numerous and formidable army. In one diviſion the Cimbri and Tectoſages had paſſed through the whole length of Gaul to the Rhine, and from thence proceeded by the Danube to Noricum or Auſtria, and were pointing towards Italy by the valley of Trent. The Conſul Lutatius Catulus was ſtationed near the deſcent of the Alps to obſerve the motions of this body.

In another diviſion, the Ambrones and the Teutones hung on the frontier of the Roman province in Gaul, between the Garonne and the Rhône, and gave out, that they meant, by the

(*s*) Plutarch. in Mario.

moſt

moſt ordinary route of the mountains, to join their allies in Italy.

Upon the approach of this formidable enemy, Marius took poſt on the Rhône at the confluence of that river with the Iſere, and fortified his camp in the moſt effectual manner. The Barbarians, reproaching him with cowardice for having taken theſe precautions, ſent, agreeably to their own notions of war, a formal challenge to meet them in battle; and having had for anſwer from Marius, That the Romans did not conſult their enemies to know when it was proper to fight, they were confirmed in the contempt which they already entertained of his army, ventured to leave them behind, and proceeded in ſeparate diviſions towards Italy. Marius followed; and, with rapid marches, overtook them as they paſſed over the country without any precaution; ſome of them near to the Roman colony of Sextius (*t*), and far removed from each other. Having found them under ſuch diſadvantage, and in ſuch confuſion as expoſed them to ſlaughter, with ſcarcely any power of reſiſtance, he put the greater part to the ſword. Thus part of the hordes, who had for many years been ſo formidable to the Romans, were now entirely cut off. Ninety thouſand priſoners, with Teutobochus, one of their kings, were taken, and two hundred thouſand were ſaid to be ſlain in the field (*u*).

The news of this victory arriving at Rome, while it was known that another diviſion of the ſame enemy, not leſs formidable, was ſtill in the field, it was not to be doubted that the command and office of Conſul would be continued to Ma-

(*t*) Now Aix, in Provence.

(*u*) Plutarch. in Mario. Oroſius, lib. v. c. 16. Florus, lib. iii. c. 3. Velleius. Eutropius.

rius. The populace, incited by ſome of the factious Tribunes, joined, with the other uſual marks of their attachment to his perſon, that of diſreſpect and inſolence to thoſe who were ſuppoſed to be his opponents and rivals. Of theſe Metellus Numidicus, whom he had ſupplanted in the command of the army againſt Jugurtha, was the chief. This reſpectable citizen, being now in the office of Cenſor, one Equitius, an impoſtor of obſcure or ſlaviſh extraction, offered himſelf to be enrolled as a citizen, under the popular deſignation and name of Caius Gracchus, the ſon of Tiberius. The Cenſor, doubting his title, called upon Sempronia, the ſiſter of Gracchus, to teſtify what ſhe knew of this pretended relation; and, upon her giving evidence againſt him, rejected his claim. The populace, ill-diſpoſed to Metellus, on account of his ſuppoſed difference with Marius, took this opportunity to inſult him in the diſcharge of his office; attacked his houſe, and obliged him to take refuge in the Capitol. Even there the Tribune Saturninus would have laid violent hands on his perſon, if he had not been protected by a body of the Roman Knights, who had aſſembled in arms to defend him. This tumult was ſuppreſſed, but not without bloodſhed. CHAP. V.

U. C. 653. Caius Marius 5to, M. Aquilius.

While the popular faction were indulging in theſe marks of their diſlike to Metellus, they proceeded to beſtow the honours which they intended for Marius, and choſe him for a fifth time Conſul, in conjunction with M. Aquilius. His late ſplendid ſucceſſes againſt one diviſion of the wandering Barbarians juſtified this choice, and pointed him out as the fitteſt perſon to combat the other, which was ſtill expected from the ſide of Noricum to attempt the invaſion of Italy. Catulus, the late colleague of Marius, commanding the troops that were ſtationed on the Atheſis, to cover the acceſs

to

BOOK II. to Italy from the valley of Trent, was deſtined to act in ſubordination to the Conſul, who had given orders to haſten the march of his victorious army from the Rhône.

Catulus had taken poſt above Verona, thrown a bridge over the Atheſis, and, in order to command the paſſage of that river, had fortified ſtations on both its banks. While he was in this poſture, and before the junction of Marius, the enemy arrived in his neighbourhood. The amazing works which they performed fully ſerved to confirm the report of their numbers. They obſtructed with mounds of timber and earth the channel of the river, ſo as to force it to change its courſe; and thus, inſtead of paſſing the river, they threw it behind them in their march. They continued to float ſuch quantities of wood on the ſtream above the bridge which Catulus had built, that the paſſage of the water being ſtopped, the bridge with all the timber which was accumulated before it, was entirely carried off. The Roman army, on ſeeing ſuch evidence of the numbers and ſtrength of their enemy, were ſeized with a panic. Many deſerted their colours, ſome fled even to Rome without halting. The Proconſul thought proper to order a retreat; and thus, by ſeeming to authoriſe what he could not prevent, he endveavoured to ſave in part the credit of his army.

The level country on the Po was in this manner laid open to the incurſions of the Barbarians. The inhabitants of Italy were greatly alarmed: and the Roman People paſſed an act of attainder againſt all thoſe who had abandoned their colours. Marius, who continued at Rome while the legions advanced on their march from Gaul, ſuſpended the triumph which had been ordered him by the Senate, went to receive his army at the foot of the Alps, and to haſten its junction with Catulus.

Upon the junction of the two armies, those who had lately fled recovered their courage, and the generals determined, without loss of time, to hazard a battle. It is said that the Barbarians of this division were still ignorant of the disaster which had befallen their allies on the other side of the Alps, and had sent a defiance or a challenge to fight; but that being informed of this calamity when they were about to engage, they made their attack with less than their usual ferosity and confidence. Catulus received them in front. Marius made a movement to assail them in flank; but as they were hid by the clouds of dust which every where rose from the plain, he missed his way, or could not engage till after the enemy had been repulsed by Catulus, and were already put to flight. The rout was extremely bloody; an hundred and fifty thousand were said to be slain; sixty thousand submitted to be taken prisoners. The remainder of this mighty host, even the women and children, perished by their own hands; and the race of barbarous nations who had migrated through Europe, perhaps for ages before they encountered with the Romans, now appear to have been entirely extirpated (*u*).

On receiving the news of this victory at Rome, the city resounded with joy, and the People, in every sacrifice they offered up, addressed themselves to Marius as a God. He had been constantly attended in this war by Sylla, who, though already an object of his jealousy, still chose to neglect the preferments of the city, and to serve in the camp. In the late victory Marius was no more than partner with Catulus. Upon the arrival of the armies at Rome, he did justice to Catulus in this particular, and admitted him to partake in his triumph. In this procession there were no carriages loaded

(*w*) Plutarch. in Mario & Sylla. Orosius, lib. v. c. 16. Florus, lib. iii. c. 3. Velleius. Eutrop. Appian. in Celtica.

with

BOOK II. with gold, ſilver, or any precious ſpoils of any ſort; but, inſtead of them, the ſhattered armour and broken ſwords of an enemy; the ſurer marks of an honour juſtly won, and of a more important ſervice performed. Theſe were tranſported in loads, and piled up in the Capitol.

CHAP.

CHAP. VI.

Character and immoderate ambition of Marius.—— Death of Nonius.—Re-election of the Tribune Saturninus.—His Sedition and seizing the Capitol.— Death of Saturninus—Reverse in the State of Parties.—Recal of Metellus.—Violent Death of the Tribune Furius.—Birth of Caius Julius Cæsar.— Lex Cecilia Didia.—Blank in the Roman History. —Sylla offers himself Candidate for the Office of Prætor.—Edict of the Censors against the Latin Rhetoricians.—Bullion in the Roman Treasury.— Present of a Groupe in golden Figures from the King of Mauritania.—Acts of Livius Drusus.— Revolt of the Italian Allies.---Policy of the Romans in yielding to the necessity of their Affairs.---The Laws of Plautius.

UPON the extinction of the wandering nations which had now for some time molested the empire, there was no foreign enemy to endanger the peace of Italy. The wars in Thrace and in Spain had no effect beyond the provinces in which they subsisted. The insurrection of the slaves in Sicily, by the good conduct of Aquilius the Consul, to whom that service had been committed, was near being quelled.

Marius being now returned to the city, might have quitted the paths of ambition with uncommon distinction and honour. An ordinary Consulate, after his having been so often called upon in times of danger, as the person most likely to save his country, could make no addition to his glory. His being set aside in times of security and leisure, would even have been the most honourable and

flattering comment that could have been made on his former elections.

But immoderate thirſt of power, and extreme animoſity to his rivals, not elevation of mind, were the characteriſtics of Marius. His ambition had hitherto paſſed for an averſion to ariſtocratical uſurpations. But his contempt of family diſtinctions, the offspring of a vanity which made him feel the want of ſuch honours, by claſhing with the eſtabliſhed ſubordination of ranks in his country, became a ſource of diſaffection to the State itſelf. He formed views upon the Conſulate yet a ſixth time; and inſtead of the moderation, or the ſatiety of honours with which he pretended to be actuated when he hoped to be preſſed into office, he employed all his influence, even his money, to procure a re-election; and accordingly prevailed, together with Valerius Flaccus. He had warmly eſpouſed the intereſt of this candidate againſt Metellus, more from animoſity to the competitor, whoſe great authority, placed in oppoſition to himſelf, he dreaded, than from any regard or predilection for Flaccus. Being choſen, in order the more to ſtrengthen himſelf in the exerciſe of his power, he entered into concert with the Tribune Apuleius Saturninus, and it is probable, agreed to ſupport this factious demagogue in his pretenſions to remain in office for another year; a precedent which had taken place only in the moſt factious times of the republic, and which was in itſelf more dangerous than any other re-election whatever. The perſon of the Tribune being ſacred, his will was abſolute, there was no check to his power beſides the fear of being called to account at the expiration of his term; and if this fear were removed by the perpetuity of office, it was a power yet more formidable than that of the Dictator, and to be reſtrained only by the diviſions which might

U. C. 653. Caius Marius 6to, L. Val. Flaccus.

ariſe

arise among those who were joined together in the exercise of it. CHAP. VI.

The faction that was formed by Marius and the Tribune Saturninus, with their adherents, was farther strengthened by the accession of the Prætor Glaucia. This person, while in office, and as he sat in judgment, had received an affront from Saturninus, in having his chair of state broken down, for presuming to occupy any part in the attention of the People, while an assembly called by the Tribune was met. He nevertheless chose to overlook this insult, in order to be admitted a partner in the consideration which was now enjoyed by these popular leaders.

Upon the approach of the tribunitian elections, the Senate and Nobles exerted themselves to prevent the re-election of Saturninus; and nine of the new candidates were, without any question, declared to be duly elected in preference to him. The tenth place too was actually filled by the election of Nonius Sufenas, whom the aristocracy had supported with all its influence. But the party of Apuleius, enraged at their disappointment, had recourse to violence, forced Nonius, though already vested with the sacred character of Tribune, to take refuge in a work-shop, from whence he was dragged by some of the late soldiery attached to Marius, and slain. The assembly broke up, and sober persons, though reputed of the popular party, retired under the strongest impressions of affliction and terror.

Marius had reason to apprehend some violent resolution from the Senate, and was in no haste to assemble that body. Mean time Glaucia, in the night, with a party armed with daggers, took possession of the Capitol and place of assembly, and, at an early hour in the morning, having gone through the forms of election, announced Apuleius again Tribune, in the place that was vacated by the

BOOK II. the murder of Nonius. This furious demagogue was accordingly reinſtated in the ſacred character, which, though recently violated by himſelf, was ſtill revered by the bulk of the People. He was continually attended by a new ſet of men who infeſted the ſtreets, freemen of deſperate fortune, whom Marius, contrary to the eſtabliſhed forms of the conſtitution, had admitted into the legions, and who were grown fierce and inſolent, as partners in the victories of that general, and who were made to expect that, in caſe the popular party ſhould prevail, they themſelves ſhould have eſtates in land and comfortable ſettlements.

Under the terror of ſo many aſſaſſins, who conſidered the Nobles as enemies to their cauſe, Marius with his faction were become maſters of the commonwealth. The better ſort of the People were deterred from frequenting the public aſſemblies, and no one had courage to propoſe, that any enquiry ſhould be made into the death of the Tribune Nonius, in whoſe perſon the ſacred law was again ſet at nought *(a)*.

Lex Agraria.

Apuleius haſtened to gratify his party by propoſing popular laws. One to ſeize, in name of the Public, thoſe lands on the Po which had lately been deſolated by the migrations of the barbarous nations, and to diſtribute them in lots to the poorer citizens *(b)*.

Another, by which it was reſolved, that in the province of Africa a hundred jugera a man ſhould be diſtributed to the veterans *(c)*: that new ſettlements ſhould be made in Greece, Macedonia, and Sicily: and that the money taken from the temple at Toloſa *(d)* ſhould be employed in the purchaſe of lands for a like purpoſe: that wherever theſe

(*a*) Appian de Bell. Civil. lib. i. Plutarch. in Mario, lib. lxix. Valer. Max. lib. ix. c. 7. Oroſius, lib. v. c. 57. Florus, lib. iii. c. 16.
(*b*) Appian de Bell. Civil. lib. i.
(*c*) Aut. de Viris Illuſtribus in Saturnino.
(*d*) Now Thoulouſe.

colonies

CHAP. VI.

colonies ſhould be planted, Marius ſhould have a power to inſcribe, at each of the ſettlements, three aliens into the liſt of citizens (*e*). That the price, hitherto paid for corn by the People at the public granaries, ſhould be remitted, and that corn ſhould be diſtributed gratis.

Lex Frumentaria.

Upon the intention to obtain the laſt of thoſe laws being known, Q. Servilius Cæpio, one of the Quæſtors, repreſented, that if ſuch a law ſhould paſs, there would be an end of induſtry, good order, and government; and that the treaſury of Rome would not be ſufficient to defray the expence. He exhorted the Senate to employ every meaſure to defeat the motion. And this body accordingly made a reſolution, that whoever attempted to obtain the law in queſtion ſhould be deemed an enemy to his country. But Apuleius was not to be reſtrained by the terrors of this reſolution. He proceeded to propoſe the law in the uſual form, and had planted the rails and balloting urns for the People to give their votes, when Cæpio, with a body of his attendants, had the courage to attack the Tribune, broke down the ſteps, and overſet the balloting urns; an action for which he was afterwards impeached upon an accuſation of treaſon, but by which, for the preſent, he diſappointed the deſigns of the faction (*f*).

Apuleius, to extend the power of the popular aſſemblies, and to remove every impediment from his own deſigns, brought forward a number of new regulations. One to confirm a former ſtatute, by which the acts of the Tribes were declared to have the force of laws. Another, declaring it to be treaſon for any perſon to interrupt a Tribune in putting a queſtion to the People. A third, obliging the Senate to confirm every act of the Tribes

(*e*) Aut. de Viris Illuſtribus in Saturnino.
(*f*) Aut. Rhetoricorum ad Herennium.

within

BOOK II. within five days after ſuch act had paſſed, and requiring every Senator, under pain of a fine, and of being ſtruck off the rolls, to take an oath to abide by theſe regulations. While theſe motions were in debate, ſome one of the party who oppoſed them, in order to ſtop the career of this factious Tribune, obſerved, that it thundered; a circumſtance which, upon the ordinary maxims of the Roman Augurs, was ſufficient to ſuſpend any buſineſs in which the People were engaged, and to break up their aſſembly. "If you be not ſilent," ſaid Apuleius to the perſon who obſerved that it thundered, "you will alſo find that it hails." The aſſembly accordingly, without being deterred by this interpoſition of the auſpices, paſſed acts to theſe ſeveral purpoſes. The power of the Senate was intirely ſuppreſſed, their part of the legiſlature was reduced to a mere form, and even this they were not at liberty to withhold. Marius called them together, and propoſed that they ſhould conſider what reſolution they were to take with reſpect to a change of ſo much importance, and particularly with reſpect to the oath which was to be exacted from the members. The old warrior is ſaid, on this occaſion, to have practiſed an artifice by which he impoſed on many of the members, and which afterwards furniſhed him with a pretence for removing his enemy Metellus from their councils. He declared himſelf with great warmth againſt taking the oath, and by his example led other Senators to expreſs their ſentiments. Metellus, in particular, aſſured the aſſembly, that it was his own reſolution never to come under ſuch an engagement.

While the Senators relied on the concurrence of Marius in refuſing the oath, the time appointed for adminiſtering it nearly approached; and this Conſul, after the third day was far ſpent, aſſembled the Senate, ſet forth the dangerous ſtate of the commonwealth; at the ſame time expreſſed his own fears of the diſturbances that might ariſe if the Senate

nate refuſed to gratify the People in this matter; and while multitudes were aſſembled in the ſtreets to know the iſſue of their councils, he required that the oath ſhould be adminiſtered. He himſelf took it, to the aſtoniſhment of the Senate, and the joy of the populace aſſembled by Apuleius, who ſounded applauſe through every part of the ſtreets. Metellus alone, of all who were preſent, refuſed to comply, and withſtood all the intreaties of his friends, who repreſented the danger with which he was threatened. "*If it were always ſafe to do* "*right,*" he ſaid, "*who would ever do wrong?* "*But good men are diſtinguiſhed, by chooſing to do* "*right even when it is leaſt for their ſafety to* "*do ſo.*"

On the following day the Tribune Saturninus entered the Senate, and, not being ſtopped by the negative of any of his own colleagues, the only power that could reſtrain him, dragged Metellus from his place, and proffered an act of attainder and baniſhment againſt him, for having refuſed the oath which was enjoined by the People. Many of the moſt reſpectable citizens offered their aid to defend this illuſtrious Senator by force, but he himſelf declined being the ſubject of any civil commotion, and went into exile.

While the act, which afterwards paſſed for his baniſhment was preparing, he was heard to ſay, "If the times ſhould mend, I ſhall recover my "ſtation; if not, it is a happineſs to be abſent "from hence." He fixed his abode at Smyrna, conducted his retirement with great dignity during his exile, and probably felt as he ought, that any cenſure inflicted by men of a vile and profligate character was an honour.

In theſe tranſactions elapſed the ſecond year, in which Apuleius filled the office of Tribune; and, being favoured by a ſupineneſs of the oppoſite party contracted in a ſeeming deſpair of the republic,

BOOK II. lic, he prevailed yet a third time in being veſted with this formidable power. To court the favour of the People, he affected to credit what was alleged concerning the birth of Equitius; and, under the name of Caius Gracchus, ſon of Tiberius, had this impoſtor aſſociated with himſelf in the office of Tribune. The name of Gracchus, in this ſtation, awakened the memory of former hopes and of former reſentments. The party had deſtined Glaucia for the Conſulate, and appear to have left Marius out of their councils. This will perhaps account for the conduct with which he concluded his adminiſtration in the preſent year.

At the election which followed, the intereſt of the Nobles was exerted for Marcus Antonius and C. Memmius. The firſt was declared Conſul, and the ſecond was likely to prevail over Glaucia; when, in the midſt of the crowds that were aſſembled to vote, a ſudden tumult aroſe; Memmius was beſet and murdered; and the People, alarmed at ſo ſtrange an outrage, were ſeized with a panic, and fled.

In the night Glaucia, Saturninus, and the Queſtor Saufeius, being known to be met in ſecret conference, all the citizens who yet retained any regard for the commonwealth crowded together, in fear of what ſo deſperate a faction might attempt. All the voices were united againſt Saturninus, the ſuppoſed author of ſo many diſorders and murders. It was propoſed, without delay, to ſeize his perſon, either living or dead: but being put on his guard, by the appearance of a ſtorm ſo likely to break on his head, he thought proper, with the other leaders of his party and their retainers in arms, to ſeize the Capitol, and there to ſecure themſelves, and to overawe the aſſembly of the People. It was no longer to be doubted that the republic was in a ſtate of war. Marius, who had

had fomented these troubles from aversion to the Nobles, now remained undetermined what part he should act. But the Senate being assembled, gave the usual charge to himself and his colleague to avert the danger with which the republic was threatened; and both these officers, however much they were disposed to favour the sedition, being in this manner armed with the sword of the commonwealth, were obliged to employ it in support of the public peace. The Senators, the Knights, and all the citizens of rank repaired in arms to their standard. Antonius, Consul elected for the following year, in order to hinder the partizans of the faction from resorting to the city, was stationed in the suburbs with an armed force *(g)*. The Capitol was invested in form, and appears to have held out some days; at the end of which, in order to oblige the rebels to surrender, the pipes that supplied them with water were cut off. This had the intended effect. They submitted to such terms as were proposed to them; and Marius, still inclined to treat them with favour, had them confined to the hall of the Senate till farther orders. In the mean time a great party of citizens, who were in arms for the defence of the republic, impatient of delay, and thinking it dangerous to spare such daring offenders, beset them instantly in their place of confinement, and put the whole to the sword *(h)*.

It was reported, though afterwards questioned upon a solemn occasion *(i)*, that Caius Rabirius, a Senator of distinction, having cut off the head of Apuleius, carried it as a trophy agreeable to the manners of those times, and had it presented for

(g) Cicero pro. C. Rabirio.

(h) Plut. in Mario. Appian de Bell. Civil. lib. i. Oros. lib. v. c. 17. Flor. lib. iii. Aut. de Viris Illust. Cicero in Sextiana in Catal. lib. i. Philip. lib. viii. & pro Caio Rabirio.

(i) At the trial of Rabirius, when, some years afterwards, he was accused of having killed Saturninus.

BOOK II.

ſome days at all the entertainments which were given on this occaſion, and at which he was a gueſt.

This was the fourth tribunitian ſedition raiſed to a dangerous height, and quelled by the vigour and reſolution of the Nobles. Marius, who had been obliged to act as the inſtrument of the Senate on this occaſion, ſaw his projects baffled and his credit greatly impaired. Plutarch relates, that he ſoon after choſe to leave the city for ſome time, on pretence of a deſire to viſit the province of Aſia, where his active ſpirit formed the project of new wars, for the conduct of which he was much better qualified than for the adminiſtration of affairs in peace.

Upon the ſuppreſſion of this dangerous ſedition, the commonwealth was reſtored to a ſtate which, compared to the late mixture of civil contention and military execution, may have deſerved the name of public order. One office of Conſul was ſtill vacant; and the election proceeding without diſturbance, Poſtumius Albinus was joined to Antonius. Moſt of the other elections had alſo been favourable to the Nobles; and the majority even of the Tribunes of the People were inclined to reſpect the Senate and the Ariſtocracy, as principal ſupports of the government.

U. C. 652. M. Antonius, A. Poſtumius Albinus.

The firſt effect of this happy recovery was a motion to recal Metellus from baniſhment. In this motion two of the Tribunes, Q. Pompeius Rufus and L. Porcius Cato concurred. But Marius having oppoſed it with all his influence, and Publius Furius, another of the Tribunes, having interpoſed his negative, it could not at that time be carried into execution. Soon after, however, the ſame motion being renewed by the Tribune Callidius, and Furius having repeated his negative, Metellus, ſon of the exile, in preſence of the People, threw himſelf upon the ground, and, embracing the Tribune's knees, beſeeched him not to withſtand

withſtand the recal of his father. The young man, from this action, afterwards acquired the Sirname of *Pius*; and the Tribune, inſolently ſpurning him as he lay on the ground, ſerved his cauſe by that act of indignity perhaps more effectually than he could have done by lending a favourable ear to his requeſt. The People, ever governed by their preſent paſſions, were moved with tenderneſs and with indignation. They proceeded, without regard to the negative of Furius, under emotions of ſympathy for the ſon, to recal the exiled father. The meſſenger of the republic, charged with the intimation of this reſolution to Metellus, found him at Tralles in Lydia, among the ſpectators at a public ſhow. When the letters were delivered to him, he continued to the end of the entertainment without opening them; by this mark of indifference, treating the favour of a diſorderly populace with as much contempt as he had ſhown to their cenſure.

The Senate, now become the ſupreme power at Rome, by the diſtaſte which all reaſonable men had taken to the violence of the oppoſite party, were gratified, not merely with the teſt of ſuperiority they had gained in the recal of Metellus, but likewiſe in the downfal of ſome of the Tribunes who had been active in the late diſorders. Publius Furius, now become an object of general deteſtation, fell a ſacrifice to the law of Apuleius, which declared it treaſon to interrupt a Tribune in putting a queſtion to the People. Being accuſed by Canuleius, one of his colleagues, of violating this law, he was by the populace, who are ever carried by the torrent, and prompt for execution, prevented from making his defence; and, though a Tribune, put to death. Decianus, another of the Tribunes, in ſupporting the charge againſt Furius, happened to ſpeak with regret of the death of Saturninus, a crime for which he incurred a proſecution,

ſecution, and was baniſhed (*k*). So ſtrong was the tide of popularity now oppoſite to its late direction, and ſo fatal even to their own cauſe frequently are the precedents or the rules by which violent men think to obtain diſcretionary power to themſelves. The murder of Nonius was a precedent to juſtify the execution of Apuleius, and both were followed by that of Furius. The law which made it treaſon to interrupt the proceedings of Apuleius, was employed to prevent any interruption to the operations of his enemies againſt himſelf and his faction.

Amidſt theſe triumphs of the ariſtocratical party, Sextus Titius, one of the Tribunes, ſtill had the courage to move a revival of the Agrarian law of Gracchus. The propoſal was acceptable in the aſſembly of the people (*l*). And the edict was accordingly paſſed; but it was obſerved, that while the People were met on this buſineſs, two ravens fought in the air above the place of aſſembly, and the college of Augurs, on pretence of this unfavourable omen, annulled the decree (*m*). Titius, the author of it, was ſoon after condemned for having in his houſe the ſtatue of Saturninus (*n*).

The Conſul Acquilius returned from Sicily; and having had an ovation or proceſſion on foot for the reduction of the Sicilian ſlaves, was on the following year brought to trial for extortion in his province. He called no exculpatory evidence, nor deigned to court the favour of his judges. But when about to receive ſentence, M. Antonius, who had pleaded his cauſe, tore open the veſt of his client, and diſplayed to the court and the audience the ſcars which he bore in his breaſt, and which were the marks of wounds received in the ſervice of his country. Upon this ſpectacle, a ſudden emotion

(*k*) Val. Max. lib. viii. c. 1.
(*l*) Julius Obſequens.
(*m*) Cicero de Legibus, lib. ii.
(*n*) Ibid. pro C. Rabirio. Ibid. de Orator. lib. ii. c. 28.

of

of pity or reſpect decided againſt the former conviction of the court, and unfixed the reſolution, which a few moments before they had taken to condemn the accuſed.

Among the events which diſtinguiſhed the Conſulate of M. Antonius and A. Poſthumius Albinus, may be reckoned the birth of Caius Julius Cæſar, for whoſe ambition the ſeeds of tribunitian diſorder now ſown were preparing a plentiful harveſt. This birth, it is ſaid, was uſhered in with many preſages and tokens of future greatneſs. If indeed we were to believe, that nature in this manner gives intimation of impending events, we ſhould not be ſurpriſed that her moſt ominous ſigns were employed to mark the birth of a perſonage who was deſtined to change the whole face of the political world, and to lay Rome herſelf, with all the nations ſhe had conquered, under a perpetuated military government.

U. C. 655. Q. Cæcilius Metellus Nepo, T. Didius.

Antonius and Albinus were ſucceeded in office by Q. Cæcilius Metellus and Titus Didius. The war ſtill continued in Spain, and fell to the lot of Didius. Upon his arrival in the Province, Dolabella, the Proprætor, ſet out on his return to Rome, and, for his victories in Spain, obtained a triumph. Metellus remained in the adminiſtration of affairs in Italy.

Lex Cæcilia Didia.

The adminiſtration of the preſent year is diſtinguiſhed by an act in which both Conſuls concurred, and which is therefore marked in the title with their joint names. The Roman People had frequently experienced the defect of their forms in the manner of enacting laws. Factious Tribunes had it in their power to carry motions by ſurprize, and to paſs in the ſame law a variety of clauſes; and, by obliging the people to paſs or reject the whole in one vote, frequently obtained, under the favour of ſome popular clauſes, acts of a very dangerous tendency. To prevent this abuſe, it was now

BOOK II. enacted, upon the joint motion of the Consuls Cæcilius and Didius, that every proposed law should be made public three market days before it could receive the assent of the people: that all its different clauses should be separately voted: and that it should be lawful for the People to pass or reject the whole or any part of it (*o*).

This law had a salutary tendency; and, though far from sufficient to prevent a return of the late evils, it served for a time to stop the current of tribunitian violence; but while the source was open, any mere temporary stagnation could only tend to increase the force with which it occasionally burst over every impediment of law or good order that was placed in its way. And the inefficacy of measures taken upon the suppression of any dangerous sedition to eradicate the evil, shows the extreme difficulty with which men are led, in most cases, to make any great and thorough reformation.

It is somewhat singular, that about this time, in the midst of so much animosity of the People to the Senate and Nobles, this superior class of the citizens were the patrons of austerity, and contended for sumptuary laws, while the popular Tribunes contended for licence. "What is your liberty," said the Tribune Duronius to the People (while he moved for a repeal of the sumptuary law of Fannius), "if you may not consume what is your own; if you must be restrained by rule and measure; if you must be stinted in your pleasures? Let us shake off, I pray you, these musty remains of antiquity, and make free to enjoy what we and our fathers have gained (*p*)."

For the petulance of these expressions, this Tribune was, by the judgment of the Censors, on the

(*o*) Cic. Philip. v. Pro domo sua. Epist. ad Atticum, lib. ii.
(*p*) Val. Max. lib. ii. c. 9.

following

following year, expelled from the Senate; and he took his revenge by prosecuting the Censor Antonius for bribery in canvassing for his office.

CHAP. VI.

U. C. 656.

Cn. Cornelius Lentulus, P. Licinius Crassus.

Cn. Cornelius Lentulus and Publius Licinius Crassus being raised to the office of Consul, the latter was appointed to relieve Didius in Spain, and the other to succeed Metellus In Italy. There is, during some years, a considerable blank in the materials from which we collect this history; little more is recorded than the succession of Consuls with the number of years, and a few particulars that ill supply the interval in our accounts of what passed in the city, or in the series of important affairs abroad. So far as these particulars, however, can be referred to their respective dates, it will be proper, while we endeavour to mark the lapse of time, to record them in the order in which they are supposed to have happened.

U. C. 656.

In the present year are dated two remarkable acts of the Senate; one to condemn the use of magic, another to prohibit human sacrifices (q): the first proceeding, perhaps, from credulity in the authors of the law, the other implying some remains of a gross and inhuman superstition, which was still entertained by the People though rejected by the Government (r).

In the following Consulate the kingdom of Cyrené was bequeathed to the Romans by Ptolomy Appion, the late king. But, as this People professed themselves to be the general patrons of liberty, where this blessing was not forfeited by some act of ingratitude or perfidy in their allies, they did not avail themselves of this legacy, leaving the subjects of Cyrené to retain for some time the independence of their nation with a species of popular government; and in this form they were allowed to remain as a separate State, until, in a

(q) Plin. lib. xxx. c. 1.

(r) Dion. Cassius, lib. xlii. p. 226.

general

BOOK II.

general arrangement made of all the dependencies of the empire, they came to be reduced to the form of a province.

U. C. 658. L. Licinius Craſſus, Q. Muſius Scevola. Lex Licinia Mucia de Civibus regendis.

The following Conſuls gave its name and its date to an act of the People nearly of the ſame tenour with ſome of thoſe formerly paſſed for the excluſion of aliens. The inhabitants of Italy ſtill continued the practice of crowding to Rome, in expectation of obtaining in a body the prerogative of citizens, or at leaſt of intruding themſelves, as many of them ſeparately did, into ſome of the Tribes, by which perſons of this deſcription, from voting at elections, came themſelves by degrees to be elected into the higher offices of State.

Times of faction were extremely favourable to this intruſion of ſtrangers. Different leaders connived at the inrolment of thoſe who were likely to favour their reſpective parties. And the factious Tribunes, in whatever degree they may have favoured the general claim of the allies to be admitted as Romans, treated the ſubject as matter of oppoſition to the Senate. They expected to raiſe the ſtorm of popular animoſity and tumult with the more eaſe, in proportion as the numbers of the people encreaſed. By the act of Licinius and Mucius, nevertheleſs, a ſcrutiny was ſet on foot, and all who, without a juſt title, ventured to exerciſe any privilege of Roman citizens, were remitted to their ſeveral boroughs (s).

In this Conſulate is likewiſe dated the trial of Servilius Cæpio, for his ſuppoſed miſconduct about ten years before in his command of the army againſt the Cimbri. He had exaſperated the popular faction, by oppoſing the act of Saturninus for the gratuitous diſtribution of corn, and his enemies were now encouraged to raiſe this proſecution againſt him. The People gave ſentence of

(s) Aſcon. in Orat. pro Cornelio Majeſt. reo.

condem-

condemnation, and violently drove from the place of assembly two of the Tribunes who ventured to interpose their negative in his favour. Authors, according to Valerius Maximus, have differed in their accounts of the sequel; some affirming that Cæpio, being put to death in prison, his body was dragged through the streets as that of a traitor, and cast into the river; others, that he was, by the favour of Antistius, one of the Tribunes, rescued, or enabled to make his escape *(t)*.

C H A P. VI.

C. Norbanus, who was said to be author of the riot which occasioned the condemnation of Cæpio, and the supposed cruel execution of that citizen, was on the following year brought to trial himself for mal-administration and sedition in office; but, by his own popularity, and the address of the orator Antonius, who pleaded his cause, was acquitted *(u)*.

The war in Spain still continued; and the Romans, having gained considerable victories, sent ten commissioners, to endeavour, in concert with Crassus and Didius, to make such arrangements as might tend to the future peace of those provinces: but in vain; hostilities were again renewed in the following year.

U. C. 660. C. Val. Flaccus, M. Hierrenius.

L. Cornelius Sylla, who had been Quæstor in the year of Rome six hundred and forty-six now, after an interval of about fourteen years, and without having been Edile, stood candidate for the office of Prætor. Whether his neglect of political honours, during this period, proceeded from idleness, or from want of ambition, is uncertain. His character will justify either construction, being equally susceptible of dissipation, and of the disdain of ordinary distinctions. The people, however, refused to gratify him in his desire of passing on to the office of Prætor without being Edile; as they

(t) Val. Max. lib. iv. c. 7.

(u) Cicero de Orator. lib. ii.

BOOK II. were reſolved to be gratified with the magnificent ſhows of wild beaſts, which his ſuppoſed correſpondence with the king of Mauritania enabled him to furniſh. But to remove this objection to his preferment, he gave out, that as Prætor he was to exhibit the ſame ſhows which were expected from him as Edile; and having, in the following year, perſiſted in his ſuit, he was accordingly elected, and fulfilled the expectations of the People; inſomuch, that he is ſaid to have let looſe in the Circus a hundred maned or male lions, and to have exhibited the method of baiting or fighting them by Mauritanian huntſmen (*w*). Such was the price which candidates for preferment at Rome were obliged to pay for public favour.

In this variable ſcene, where ſo many particular men excelled in genius and magnanimity, while the State itſelf was ſubject to the government of a capricious and diſorderly multitude, P. Rutilius, late Quæſtor in Aſia, exhibited a ſpectacle ſufficient to counterbalance the lions of Sylla; and, if it were permitted in any caſe whatever to treat our country with diſdain, an inſtance to be applauded of the juſt contempt with which the undeſerved reſentments of corrupt and malicious men ought to be received. Having reformed many abuſes of the equeſtrian tax-gatherers in the province which he governed, he was himſelf brought before the tribunal of an equeſtrian jury, to be tried for the crime he had reſtrained in others. In this ſituation he declined the aid of any friend, told the judges he would make no defence; but ſtated the particulars by which he had offended his proſecutors, left the court to decide, and, being condemned, retired to Smyrna, where he ever after lived in great tranquility, and could not be prevailed on, even by Sylla in the height of his power, to return

(*w*) Plin. lib. viii. c. 16.

to Rome (*x*). Great as the State and Republic of Rome was become, unmerited diſgrace was certainly a juſt object of contempt or indifference. CHAP IV.

The Proconſuls, Didius and Craſſus, were permitted to triumph for victories obtained in Spain, but had not been able to eſtabliſh the peace of that country. The war which broke out afreſh in one of the provinces was committed to Valerius Flaccus, and the care of the other to Perperna, one of the Conſuls. Flaccus, near the town of Belgida, obtained a great victory, in which were ſlain about twenty thouſand of the enemy; but he could not prevail on the canton to ſubmit. Such of the People as were inclined to capitulate, deliberating on terms, were beſet by their fellow-citizens, and the houſe in which they were aſſembled being ſet on fire, they periſhed in the flames.

The war having been likewiſe renewed with the Thracians on the frontiers of Macedonia, Geminius, who commanded there in the quality of Proprætor, was defeated, and the province over-run by the enemy. U. C. 661. C. Claudius Pulcher, M. Perperna.

The Prætor Sylla, at the expiration of his office, was ſent into Aſia with a commiſſion to reſtore Ariarathes to the kingdom of Cappadocia, which had been ſeized by Mithridates, and to reſtore Pylamenes to that of Paphlagonia, from which he had been expelled by Nicomedes king of Bythinia. The Prætor having ſucceſsfully executed both theſe commiſſions, continued his journey to the Euphrates, where he had a conference, and concluded a treaty with an ambaſſador from Ariarathes king of the Parthians (*y*).

From an edict of the Cenſors, Cn. Domitius Ahenobarbus and C. Licinius Craſſus, condemning

(*x*) Val. Max. lib. vi. c. 17. Liv. lib. lxx. Oroſius, lib. v. c. 17. Cic. de Orat. & in Bruto. Pædianus in Divinationem. Velleius, lib ii.

(*y*) Plutarch. in Sylla. Appian. in Mithridatico. Juſtin, lib. xxxiii. Strabo, lib. xii.

BOOK II. the ſchools of Latin rhetoric (z), it appears that the Romans, during this period, ſtill received with reluctance the refinements which were gradually taking place in the literary as well as in the other arts. "Whereas information," ſaid the Cenſors in their edict, "has been lodged before us that "ſchools are kept by certain perſons, under the "title of Latin rhetoricians, to which the youth "of this city reſort, and at which they paſs intire "days in frivolity and ſloth; and whereas our an-"ceſtors have determined what their children ſhould "learn, and what exerciſes they ought to fre-"quent: theſe innovations on the cuſtoms and "manners of our forefathers being, in our opinion, "offenſive and wrong, we publiſh theſe preſents, "that both maſters and ſcholars, given to theſe "illicit practices, may be duly appriſed of our "pleaſure (*a*). Cicero being now fourteen years of age, and employed in learning that eloquence for which he became ſo famous, was probably involved in this cenſure, as frequenting the ſchools which, by this formal edict of the magiſtrate, were condemned.

In the Conſulate of Marcus Philippus and Sext. Julius Cæſar, according to Pliny, there were in the Roman treaſury ſixteen hundred and twenty-eight thouſand eight hundred and twenty-nine pondo (*b*) of gold (*c*), or between ſixty and ſeventy or eighty milions ſterling. In the ſame year a preſent ſent from the king of Mauritania had nearly produced a civil war in the commonwealth, and greatly inflamed the paſſions from which that calamity ſoon after aroſe. Bocchus, in order to remind the Romans of the merit he had acquired by delivering Jugurtha into their hands, had cauſed

(z) Cicer. de Orator. lib. iii. c. 24.
(*a*) A. Gellius, lib. xv. c. 11.
(*b*) The Roman pondo of ten ounces.
(*c*) Plin. Harduen, lib. xxxiii. c. 3.

this

this ſcene to be repreſented in a groupe of images of gold, containing his own figure, that of Jugurtha, and that of Sylla, to whom the unhappy prince was delivered up. Marius, under whoſe auſpices this tranſaction had paſſed, being provoked at having no place in the repreſentation of it, attempted to pull down the images after they had been erected in the place of their deſtination in the Capitol. Sylla was equally ſolicitous to have them remain; and the conteſt was likely to end in violence, if matters of greater moment had not ariſen to occupy the ardent and vehement ſpirit of theſe rivals.

CHAP. VI.

The expectations of all parties at Rome, and throughout Italy, were now raiſed by the projects of Livius Druſus, an active Tribune, who, in order to diſtinguiſh himſelf, brought forward many ſubjects of the greateſt concern to the public. He acted at firſt in concert with the leading men of the Senate, and was ſupported by them in order to obtain ſome amendment in the law as it then ſtood with reſpect to the courts of juſtice. The Equeſtrian order had acquired excluſive poſſeſſion of the judicature. The Senators wiſhed to recover at leaſt a ſhare in that prerogative; and Druſus, in order to gratify them, moved for an act of which the tendency was, to reſtore the judicative power of the Senate: to prevent oppoſition from the Equeſtrian order, he propoſed, at once, to enrol three hundred knights into the Senate; and that the Senators, who appear at this time to have amounted to no more than three hundred, might not withſtand this increaſe of their numbers, he left to each the nomination of one of the new members; propoſing, that from the ſix hundred ſo conſtituted, the liſts of judges ſhould be taken (*d*). Many of

Lex de Judiciis.

(*d*) Appian. de Bell. Civ. lib. i. Aut. de Viris Illuſtribus, c. 66. Cicero pro Clientio.

the

BOOK II.

the knights were reconciled to this arrangement, by the hopes of becoming Senators; but the order, in general, ſeem to have conſidered it as a ſnare laid to deprive them of their conſequence in the government of their country; and individuals refuſed to accept of a place in the Senate, at the hazard of ſo great and ſo ſudden a change in the condition of their own order, and of the conſtitution of the State *(e)*.

Lex Nummaria.

This Tribune likewiſe propoſed an act to debaſe the ſilver coin, by mixing an eighth of alloy. But the part of his project which gave the greateſt alarm, was that which related to the indigent citizens of Rome, and to the inhabitants of Italy in general.

Lex de Coloniis.

With a view to gratify the poorer citizens he propoſed that all the new ſettlements, projected by the law of Caius Gracchus, ſhould now be carried into execution. The Conſul, Marcus Perperna, having ventured to oppoſe this propoſal, he was, by order of the Tribune, taken into cuſtody; and ſo roughly treated in the execution of this order, that, while he ſtruggled to diſengage himſelf, the blood was made to ſpring from his noſtrils. "It "is no more than the pickle of the turtle-fiſh *(f)*, ſaid the Tribune, a ſpecies of delicacy, in which, it ſeems, among other luxuries of the table, this Conſul was ſuppoſed frequently to indulge himſelf.

Lex de Civitate Sociis danda.

For the allies of Italy, Livius Druſus propoſed to obtain the favourite object on which they had been ſo long intent, the privileges and powers of Roman citizens. In all his other propoſals, he had the concurrence of ſome party in the commonwealth, and by perſuaſion, or force, had obtained

(e) Appian. de Bell. Civ. lib. i. Aut. de Viris Illuſtribus, c. 66. Cicero pro Clientio.

(f) Ex turdis maria. Aut de Viris Illuſtribus, in L. Druſ. Val. Max. lib. ix. c. 5. Florus.

his

his purpose; but in this he struck at the personal consideration of every citizen, and was opposed by the unanimous voice of the whole People. CHAP. VI.

This Tribune used to boast, that he would exhaust every fund from which any order of men could be gratified, and leave to those who came after him nothing to give, but the air and the earth (*g*). The citizens in general, however, were become tired of his favours, and the people of Italy were ill-disposed to requite the merit of a project which he had not been able to execute. Soon after the motion, which he made in favour of the Italians, had been rejected, Drusus was suddenly taken ill in the public assembly, and Papirius Carbo, another of the Tribunes, made a short speech on the occasion, which, among a People prone to superstition, and ready to execute whatever they conceived to be awarded by the gods, probably hastened the fate of his falling colleague: "O Marcus Drusus!" he said, "the father I call, not this degenerate son; "thou who usedst to say, The commonwealth is "sacred, whoever violates it is sure to be punished. The temerity of the son has evinced "the wisdom of the father." A great shout arose in the assembly, and Drusus (*h*), being attended to his own house by a numerous multitude, received in the crowd a secret wound of which he died (*i*). All his laws were soon after repealed, as having passed under unfavourable auspices. But the inhabitants of Italy were not to be appeased under their late disappointment, and discontents were breaking out in every part of the country, which greatly alarmed the republic.

In this state of public uneasiness, some prosecutions were raised by the Tribunes, calculated to gratify their own private resentments, and tend-

(*g*) Florus, lib. iii. c. 17.
(*h*) Cicero in Bruto, p. 63.
(*i*) Velleius, lib. ii. c. 13, 14. Appian. Florus, lib. iii. c. 17.

ing

BOOK II. ing to excite animoſities. Q. Varius Hybrida obtained a decree of the People, directing, that inquiry ſhould be made by whoſe fault the allies had been made to expect the freedom of the city. In conſequence of an inqueſt ſet on foot for this purpoſe, L. Calphurnius Beſtia, late Conſul, and M. Aurelius Orator, and other eminent men, were condemned *(k)*. Mummius Achaicus was baniſhed to Delos. Emilius Scaurus, who had long maintained his dignity as Princeps, or firſt on the roll of the Senate, was cited on this occaſion before the People, as a perſon involved in the ſame guilt. Quintus Varius, the Tribune, who accuſed him, being a native of Spain, Scaurus was acquitted upon the following ſhort defence: "Q. Varius, "from the banks of the Sucro, in Spain, ſays, That "M. Emilius Scaurus, firſt in the roll of the Se-"nate, has encouraged your ſubjects to revolt; "Varius maintains the charge; Scaurus denies it; "There is no other evidence in this matter: chuſe "whom you will believe *(l)*."

The year following, Varius himſelf was tried, and condemned agreeably to his own act; and while the proſecutions ſuſpended all other civil affairs, and even the meaſures required for the ſafety of the public, the inhabitants of Italy were forming dangerous combinations, and were ready to break out in actual rebellion. They were exaſperated with having their ſuit not only refuſed, but in having the abettors of it at Rome conſidered as criminals. They ſent deputies to meet at Corfinium, and to deliberate on a plan of operations. Their deputies were to form a Senate, and to chuſe two executive officers, under the denomination of Conſuls.

(k) Appian. Val. Max. lib. viii. c. 6. Cicero in Bruto.

(l) Cicero pro M. Scauro filio. Aut. de Viris Illuſtribus, c. 72. Quintilian. lib. v. c. 12. Val. Max. lib. iii. c. 7.

The Romans took their first suspicion of a dangerous design in agitation among their allies, from observing that they were exchanging hostages among themselves. The Proconsul Servilius, who commanded in the Picenum, having intelligence to this purpose from Asculum, repaired thither, in order, by his presence, to prevent any commotion; but his coming, in reality, hastened the revolt. His remonstrances and his threats made the inhabitants sensible that their designs were known, and that the execution of them could no longer in safety be delayed. They accordingly took arms, and put to the sword the Proconsul Servilius, with his lieutenant, and all the Roman citizens who happened to be in the place. The alarm immediately spread throughout all the towns that were concerned in the plot; and, as upon a signal agreed, the Marsi, Peligni, Vestini, Marcini, Picentes, Ferentanæ, Hirpini, Pompeiani, Venusini, Apuli, Lucani, and Samnites, took arms, and sent a joint deputation to Rome to demand a participation in the privileges of Roman citizens; of which they had, by their services, contributed so largely to encrease the value.

In answer to this demand they were told by the Senate, That they must discontinue their assemblies, and renounce their pretensions; otherwise, that they must not presume to send any other message to Rome.

War being thus declared, both parties prepared for the contest. The allies mustered a hundred thousand men, in different bodies, and under different leaders. The Romans found themselves in an instant brought back to the condition in which they had been about three hundred years before; reduced to a few miles of territory round their walls, and beset with enemies more united, and more numerous than ever had assailed them at once on the same ground. But their city was likewise enlarged,

U. C. 663. L. Julius Cæsar, P. Rutilius Lupus.

BOOK II. larged, their numbers encreaſed, and every individual excellently formed to ſerve the State, as a warrior and a citizen. All of them aſſumed, upon this occaſion, the ſagum, or military dreſs; and being joined by ſuch of the Latins as remained in their allegiance, and by ſuch of their colonies, from different parts of Italy, as continued to be faithful, together with ſome mercenaries from Gaul and Numidia, they aſſembled a force equal to that of the allies.

The Conſuls were placed at the head of the two principal armies; Lucius Julius Cæſar, in the country of the Samnites (*m*), and Rutilius, in that of the Marſi (*n*). They had under their command the moſt celebrated and experienced officers of the republic; but little more is preſerved to furniſh out the hiſtory of this war than the names of the Roman commanders, and thoſe of the perſons oppoſed to them. Rutilius was attended by Pompeius Strabo, the father of him who afterwards bore the title of Pompey the Great; Cæpio, Perperna, Meſſala, and Caius Marius, of whom the laſt had already ſo often been Conſul. Cæſar had, in the army which he commanded, Lentulus, Didius, Craſſus, and Marcellus. They were oppoſed by T. Afranius, P. Ventidius, Marcus Egnatius, Q. Pompedius, C. Papius, M. Lamponius, C. Judacilius, Hircus, Aſinius, and Vetius Cato, at the head of the allies. The forces were ſimilar in diſcipline and in arms. The Romans were likely to be inferior in numbers and in reſources, but had the advantage in reputation, authority, and in the fame of their leaders, inured to command in the higheſt ſtations. But ſo well had the allies taken their meaſures, and with ſo much animoſity did

(*m*) Now part of the kingdom of Naples.
(*n*) Contiguous part of the Eccleſiaſtical State.

they

they ſupport a quarrel, which they had been meditating for ſome years, that the Romans appeared at firſt unequal to the conteſt, and were ſurpriſed and overcome in many encounters. CHAP. VI.

The detail of theſe operations is imperfectly recorded; and does not furniſh the materials of a relation either intereſting or inſtructive. We muſt therefore content ourſelves with a liſt of actions and events, and with the general reſult.

One of the Conſuls, Lucius Cæſar, in the firſt encounter of the war, was defeated by Vetius Cato near Eſernia, and had two thouſand men killed in the field. The town of Eſernia was immediately inveſted, and ſome Roman Officers of diſtinction were obliged to make their eſcape in the diſguiſe of ſlaves. Two Roman cohorts were cut off at Venafrum, and that colony fell into the hands of the enemy. The other conſul, Rutilius, was likewiſe defeated by the Marſi, and fell in the field, with eight thouſand men of his army. His colleague was called to the city to preſide at the election of a ſucceſſor; but being neceſſarily detained with the army, the office continued vacant for the remainder of the campaign, while the army acted under the direction of the late Conſuls, Marius and Cæpio.

The corpſe of Rutilius, and of other perſons of rank, being brought to public funeral at Rome, ſo alarmed and ſunk the minds of the People, that the Senate decreed, that, for the future, the dead ſhould be buried where they fell.

In the mean time, Lucius Cæſar obtained a victory in the country of the Samnites; and the Senate, in order to reſtore the confidence of the People, as if this victory had ſuppreſſed the revolt, reſolved, that the ſagum, or military dreſs, ſhould be laid aſide *(o)*.

(*o*) Liv. lib. lxxiv. Appian. Oroſius, lib. v. c. 18. Florus, lib. iii. c. 18. Velleius. Eutropius.

The

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U. C. 664.

Cn. Pomp. Strabo, L. Porcius Cato.

The usual time of the Consular elections being come, Cn. Pompeius Strabo and Porcius Cato were named.

Pompey gained a complete victory over the Marsi; and, notwithstanding an obstinate defence, reduced the city of Asculum, where hostilities at first had commenced, and where the Romans had suffered the greatest outrage. The principal inhabitants of the place were put to death, the remainder were sold for slaves. The other Consul, Cato, was killed in an attack upon the entrenchments of the Marsi; and although Marius and Sylla, in different quarters, had turned the fortune of the war against the allies, yet the event still continued to be extremely doubtful.

The Umbrians, Etruscans, and the inhabitants of other districts of Italy, who had hitherto hesitated in the choice of their party, took courage from the perseverance and success of their neighbours, and openly joined the revolt. The more distant parts of the empire were soon likely to seize the contagion: they were already, by the obstruction they met with in carrying supplies of provisions or revenue, severed from the capital, and the allegiance they owed as conquered provinces, whenever they saw their opportunity to withdraw it, was likely to vanish like a dream or ideal existence.

Mithridates, the king of Pontus, did not neglect the occasion that was offered to him; he put all his forces in motion, expelled Nicomedes from Bythinia, and Ariobarzones from Cappadocia, and made himself master of the greater part of the Lesser Asia.

In this extremity it appeared necessary to comply with the demands of the allies; but the Senate had the address to make this concession seem to be an act of munificence and generosity, not of weakness or fear.

The

The Latins, who had continued in their allegiance, were, in consideration of their fidelity, admitted to all the privileges of Roman citizens. The Umbri and Tuscans, who either had not yet declared, or who had been least forward in the war, were next comprehended; and the other inhabitants of Italy, observing, that they were likely to obtain by favour what they endeavoured to extort by force, grew remiss in the war, or withdrew from the league, that they might appear to be forward in the general return to peace.

The Marsi, Samnites, and Lucanians, who had been the principal authors of the revolt, or who had acted with most animosity in the conduct of it, continued for some time to be excluded from the privilege of Romans. But the civil war, which soon after broke out among the citizens themselves, terminated either in the extirpation of those aliens, and in the settlement of Roman colonies in their stead, or gave them an opportunity, under favour of the party they espoused, of gaining admittance to the privilege to which they aspired: so that, in a few years, all the inhabitants of Italy, from the Rubicon to the Straits of Messina, were become citizens of Rome; and a constitution of state, which had been already overcharged by the numbers that partook of its sovereignty, was now altogether overwhelmed; or if this change alone were not sufficient to destroy it, was not likely long to remain without some notable and fatal revolution. Assemblies of the People, already sufficiently tumultuary, being now considered as the collective body of all the Italians, were become altogether impracticable, or could be no more than partial tumults raised in the streets of Rome, or the contiguous fields, for particular purposes: insomuch that when we read of the authority of the Senate being set aside by an order of the People, we may venture to conceive all government suspended at the

BOOK II. the inſtance of that party, who had then the populace of Rome at their call.

Licinius Craſſus and L. Julius Cæſar were choſen Cenſors, in order to make up the new rolls of the People. This, it is likely, was found to be a difficult and tedious work. It became neceſſary to ſcrutinize the rolls of every ſeparate borough, in order to know who were entitled to be added to the liſt of Roman citizens; and this difficulty was farther encreaſed in conſequence of a law deviſed about this time by Papirius Carbo, in which it was enacted, that not only the natives and antient denizens of Italy, but all who ſhould, for the future, obtain the freedom of any Italian borough, if they had a reſidence in Italy, and had given in their claim to the Prætor ſixty days, ſhould by that act become citizens (*p*): ſo that the prerogative of the Roman People continued to be in the gift of every ſeparate corporation, as well as in that of the State itſelf.

The number of the aliens admitted on the rolls, at this muſter, is not recorded; but it was probably equal to that of the antient citizens, and might have inſtantly formed a very powerful and dangerous faction in the State, if effectual meaſures had not been taken to guard againſt the effect of their influence. For this purpoſe, they were not mixed promiſcuouſly with the maſs of the People, but confined to eight particular Tribes (*q*); by this means they could only influence eight votes in thirty-five (*r*); and the antient citizens were ſtill poſſeſſed of a great majority. But this artifice did not long eſcape the attention of thoſe who were ag-

(*p*) Cicero pro Archia Poëta.

(*q*) Velleius Paterculus, lib. ii. c. 20.

(*r*) Hiſtorians mention this particular, as if eight new Tribes were added to the former thirty-five; but the continual alluſion of Roman writers, to the number thirty-five, will not allow us to ſuppoſe any augmentation. Cicero de Lege Agraria 2da, c. 8.

grieved by it, and became the ſubject of a new dispute. CHAP. VI.

While the Romans were meditating, or actually making this important change in the ſtate of the commonwealth, they found leiſure for matters of leſs moment, in which they endeavoured to provide for the peace of the city, and the adminiſtration of juſtice.

Plautius, one of the Tribunes, obtained a new law for the ſelection of judges, by which it was enacted, That each Tribe ſhould annually elect fifteen citizens, without any diſtinction of rank; and that, from the whole ſo named, the judges in all trials that occurred within the year ſhould be taken (*s*). This law appeared to be equitable, as it gave, with great propriety, to all the different claſſes of men in the State, an equal right to be named of the juries; and to every party concerned, an equal chance of being tried by his peers. Lex Plotia de Judiciis.

The ſame Tribune likewiſe obtained a law for the preſervation of the public peace, by which it was declared capital to be ſeen in public with a weapon, or inſtrument of death; to occupy any place of ſtrength in the city; to offer violence to the houſe of any perſon, or to diſturb any company; to interrupt any meeting of the Senate, aſſembly of the People, or court of juſtice. To theſe clauſes Catulus ſubjoined another, in which he comprehended perſons ſurrounding the Senate with an armed force, or offering violence to any magiſtrate (*t*). Lex Plotia de Vi.

(*s*) Pedianus in Cornelianam Ciceronis.
(*t*) Cicero pro Cælio, et Aruſpicum Reſponſo.

CHAP.

C H A P. VII.

Triumph of Pompeius Strabo.—Progress of Sylla.—War with the King of Pontus.—Rise of that Kingdom.—Appointment of Sylla to command.—Policy of the Tribune Sulpicius.—Sylla's Commission recalled in Favour of Marius.—His March from Campania to Rome.—Expels Marius and his Faction from the City.—His Operations in Greece.—Siege of Athens.—Battle of Chæronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flies, and is deprived.—Recovers the Possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous Armies.—Various Events of the War in Italy.—Sylla prevails.—His Proscription, or Massacre.—Named Dictator.—His Policy—Resignation—and Death.

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THE social war, though far from being successful, concluded with a triumphal procession; and the Senate, though actually obliged to yield the point for which they contended, thought proper, under pretence of advantages gained on some particular occasions, to erect a trophy. They singled out Pompeius Strabo for the pageant in this ceremony; either because he had reduced Asculum, where the rebellion first broke out, or because a victory obtained by him had most immediately preceded the peace. But the most remarkable circumstance in this procession was, its being, in shew, a triumph of the old citizens over the new, but in reality a triumph of the latter. Ventidius Bassus, being a prisoner in the war, and led as such in the present triumph, came in the form of

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of a captive to ſhare in the prerogatives of a Roman; he was, in the ſequel, promoted to all the honours of the State; and himſelf, in the capacity of a victorious general, led a proceſſion of the ſame kind with that in which he had made his firſt entry at Rome as a captive (*a*).

Sylla, by his conduct and his ſucceſſes wherever he had borne a ſeparate command in this war, gave proof of that ſuperior genius by which he now began to be diſtinguiſhed. By his magnanimity on all occaſions, by his great courage in danger, by his imperious exactions from the enemy, and by his laviſh profuſion to his own troops, he obtained, in a very high degree, the confidence and attachment of his ſoldiers; and yet in this, it is probable, he acted from temper, and not from deſign, or with any view to what followed. With ſo careleſs and ſo bold a hand did this man already hold the reins of military diſcipline, that Albinus, an officer of high rank, and next in command to himſelf, being killed by the ſoldiers in a mutiny, he treated this outrage as a trifle, ſaying, when the matter was reported to him, That the troops would atone for it when they met with the enemy (*b*).

U. C. 665. L. Corn. Sylla, Q. Pomp. Rufus, Coſſ.

With the merits he had recently diſplayed in this war, he repaired to the city, laid claim to the Conſulate, and was accordingly choſen in conjunction with Quintus Pompeius Rufus.

It was thought neceſſary ſtill to keep a proper force under arms in Italy, until the public tranquillity ſhould be fully eſtabliſhed. The army, which had acted under Cneius Pompeius Strabo, Conſul of the preceding year, was deſtined for this ſervice; and Quintus Rufus was appointed to the command of it.

(*a*) Val. lib. vi. c. 9. Gellius, lib. xv. c. 4. Plin. lib. vii. c. 43. Dio Caſſius, 43. fine.

(*b*) Plutarch. in Sylla.

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The war with Mithridates, king of Pontus, however, was the principal object of attention; and this province, together with the army then lying in Campania, fell to the lot of Sylla.

The monarchy of Pontus had risen upon the ruins of the Macedonian establishments in Asia; and, upon their entire suppression, was become one of the most considerable kingdoms of the East.

Mithridates had inherited from his ancestors a great extent of territory, reaching in length, according to the representation of his own ambassador in Appian, twenty thousand stadia, above two thousand miles. He himself had joined to it the kingdom of Colchis, and other provinces on the coasts of the Euxine sea. His national troops amounted to three hundred thousand foot, and forty thousand horse, besides auxiliaries from Thrace, and from that part of Scythia which lies on the Meotis and the Tanais, countries over which he had acquired an ascendant approaching to a sovereignty. He had pretensions likewise on the kingdoms of Bithynia and Cappadocia, which he had hitherto relinquished from respect to the Romans; or of which he had deferred the effect until he should be prepared to cope with this formidable power. All his pretensions indeed, like those of other monarchs, were likely to extend with his force, and to receive no limitation but from the defect of his power. And such were his resources, and his personal character, that, if he had encountered on the side of Europe with an enemy less able than the Romans were to withstand his progress, it is probable that in his hands the empire of Pontus might have vied with that of the greatest conquerors.

About the time that the social war broke out in Italy, Cassius Longinus, Manius Acquilius, and C. Oppius were, in different characters, stationed in the

the province of Asia, and took under their protection every power in that country that was likely to oppose the progress of Mithridates.

Nicomedes, who had been recently restored to the crown of Bithynia, made hostile incursions under the encouragement of these Roman generals, even into the kingdom of Pontus. Mithridates, having made fruitless complaints to them on this subject; and thinking that the distracted state of Italy furnished him with a favourable opportunity to slight their resentment, he sent his son Ariarathes into Cappadocia with a force to expel Ariobarzanes, though an ally of the Romans, and to possess that kingdom. He took the field himself, and sent powerful armies, under his generals, against Nicomedes, and against the Romans, who had assembled all the force of their province and of their allies, to the amount of an hundred and twenty thousand men, in different bodies, to defend their own frontier, or to annoy their enemy.

Mithridates fell separately upon the several divisions of his enemies forces; and having defeated Nicomedes, and afterwards Manius, obliged the Roman officers, with their ally, to retire; Cassius to Apamea, Manius towards Rhodes, and Nicomedes to Pergamus. His fleet, likewise, consisting of three hundred gallies, opened the passage of the Hellespont, took all the ships which the Romans had stationed in those straits; and he himself soon after in person traversed Phrygia and the Lesser Asia, to the sea of Cilicia and Greece. In all the cities of the Lesser Asia, where the people now openly declared their detestation of the Roman dominion, he was received with open gates. He got possession of the person of Oppius, by means of the inhabitants of Laodicea, where this general had taken refuge with a body of mercenaries. The mercenaries were allowed to disband; but

BOOK II. Oppius himſelf was conducted as a priſoner to the head-quarters of Mithridates, and, in mockery of his ſtate as a Roman governor, was made to paſs through the cities in his way, with his faſces or enſigns of magiſtracy carried before him.

Manius Acquilius likewiſe fell into the hands of the enemy, and was treated with ſimilar ſcorn; and with a barbarity which nothing but the moſt criminal abuſe of the power he lately poſſeſſed could have deſerved or provoked. Being carried round the cities of Aſia on an aſs, he was obliged at every place to declare, that his own avarice was the cauſe of the war; and he was at laſt put to death by the pouring of melted gold into his throat.

While Mithridates thus overwhelmed his enemies, and was endeavouring to complete his conqueſt of Aſia by the reduction of Rhodes, he ordered his general Archelaus to penetrate by the way of Thrace and Macedonia into Greece.

Such was the alarming ſtate of the war when the Romans, having ſcarcely appeaſed the troubles in Italy, appointed L. Cornelius Sylla, with ſix legions that lay in Campania, to embark for Greece, in order, if poſſible, to ſtem a torrent which no ordinary bars were likely to withſtand.

But before Sylla or his colleague could depart for their provinces diſorders aroſe in the city, which, without waiting the approach of foreign enemies, brought armies to battle in the ſtreets, and covered the pavements of Rome with the ſlain.

Publius Sulpicius, Tribune of the People, with a ſingular boldneſs and profligacy, ventured to tamper with the dangerous humours which were but ill ſuppreſſed in the event of the late troubles; and, as if the State had no experience of civil wars and domeſtic tumults, lighted the torch anew, and kindled the former animoſity of the popular and Senatorian parties. The ſevere meaſures hitherto taken

taken by the Senate and Magiſtrates againſt the authors of ſedition had, in ſome inſtances, been effectual to ſnatch the republic out of the hands of lawleſs men, and to ſuſpend for a while the ruin of the commonwealth; but the examples ſo given, inſtead of deterring others from a repetition of the ſame crimes, appear only to have admoniſhed the factious leaders to take proper precautions, and to make the neceſſary preparations before they embarked in deſigns againſt the State. They accordingly improved and refined by degrees on the meaſures which they ſucceſſively took againſt the Senate; and when the Tribune Sulpicius began to act, he made his arrangements equal to a ſyſtem of formal war. This Tribune, according to Plutarch, had three thouſand gladiators in his pay, and in deſpite of the law of Plautius, had ever at his back a numerous company of retainers, armed with daggers and other offenſive weapons; theſe he called his *Anti-ſenate*; and retained to ſupport him in an attempt, which he was at no pains to diſguiſe, againſt the authority of the Senate itſelf. He moved the People to recal from exile all thoſe who had fled from the city on occaſion of the former diſorders, and to admit the new citizens and enfranchiſed ſlaves to be enrolled promiſcuouſly in all the Tribes without regard to the late wiſe limitation of the Senate's decree, by which they were reſtricted to four. By the change which he now propoſed, the citizens of leaſt conſideration might come to have a majority, or a great ſway in the public deliberations. The Tribunes would become maſters in every queſtion, and fill up the rolls of the people in the manner that moſt ſuited their intereſt.

This preſumptuous man himſelf undertook to procure the freedom of the city for every perſon that applied to him, and boldly received premiums in

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BOOK II. the ſtreets for this proſtitution of the privileges and powers of his fellow-citizens.

The more reſpectable citizens, and the magiſtrates, in vain withſtood theſe abuſes. They were overpowered by force, and frequently driven from the place of aſſembly. In this extremity they had recourſe to ſuperſtition, and by multiplying holy-days, endeavoured to ſtop or to diſconcert their antagoniſts. But Sulpicius, with his party, laid violent hands on the Conſuls, in order to force them to recal theſe appointments. Young Pompey, the ſon of the preſent Conſul, and ſon-in-law to Sylla, was killed in the fray. Sylla himſelf, who had withdrawn from the tumult, feeling that he was in the power of his enemies, and being impatient to get into a ſituation in which he could more effectually reſiſt them, choſe for the preſent to comply with their demands (*c*).

In the midſt of theſe violences, the city being under an actual uſurpation or tyranny, Sylla repaired to the army in Campania, with a reſolution to purſue the object of his command in Aſia, and to leave the Tribunitian ſtorms at Rome to ſpend their force. But ſoon after his departure, it appeared, that Marius was no ſtranger to the councils of Sulpicius; and that he hoped, by means of this Tribune, to gratify an ambition which outlived the vigour of his faculties and the ſtrength of his body. His firſt object was to mortify his rival Sylla, in revoking, by a decree of the People, the appointment of the Senate, and to ſuperſede him in the command of the army againſt Mithridates. A decree to this purpoſe was accordingly with eaſe obtained by Sulpicius, in one of thoſe partial conventions, which took upon them to repreſent the People of Italy in the ſtreets of Rome; and Marius, now appointed general of the army in Cam-

(*c*) Plutarch. in Mario, p. 526. edit. Londin. 4to.

pania,

pania, ſent the proper officers to intimate his appointment to Sylla, and to receive from him, in behalf of his ſucceſſor, the charge of the army, and the delivery of the ſtores. Sylla had the addreſs to make the troops apprehend that this change was equally prejudicial to them as to himſelf; that Marius had his favourite legions whom he would naturally employ; and that the ſame act of violence, by which he had ſupplanted the general, would bring other officers and other men to reap the fruits of this lucrative ſervice in Aſia. This perſuaſion, as well as the attachment which the army already bore to their general, produced its effect *(d)*.

The officers, who intimated the appointment of Marius, on declaring their commiſſion, found that violence could take place in the camp as well as in the city. Their orders were received with ſcorn. A tumult aroſe among the ſoldiers; and citizens veſted with a public character, formally commiſſioned to intimate an order of the Roman People, and delivering their commands to this purpoſe, were ſlain in the camp. In return to this outrage ſome relations and friends of Sylla were murdered in the city, and ſuch retaliations were not likely ſoon to end on either ſide *(e)*.

Faction is frequently blind, and does not ſee the uſe that may be made of its own violent precedents againſt itſelf. Although Sylla is ſaid to have heſitated, yet he was not a perſon likely to ſhrink from the conteſt, in which his own enemies, and thoſe of the State, had engaged him. Stung with rage, and probably thinking that force would be juſtified in ſnatching the republic out of ſuch violent hands, he propoſed to the army that they ſhould march to Rome. The propoſal was re-

(d) Appian. de Bell. Civil. lib. i.
(e) Plutarch. in Mario, Edit. Lond. p. 526.

ceived

ceived with joy; and the army, without any of the ſcruples, or any degree of that heſitation which is aſcribed to their commander in adopting this meaſure, followed where he thought proper to lead them.

On this new and dangerous appearance of things, not only Marius and Sulpicius, with the perſons moſt obnoxious on account of the inſults offered to Sylla and other reſpectable citizens, were ſeized with conſternation; but even the Senate and the Nobles were juſtly alarmed.

A faction, it is true, had aſſumed the authority of the Roman People, to violate the laws, and to overawe the State; but armies, it was thought, are dangerous tools in political conteſts; and no good intention on the part of their leaders, no magnanimity or moderation in the execution of their intentions, can compenſate the ruinous tendency of a precedent which brings force to be employed as an ordinary reſource in political diviſions. Even the preſent ſtate of the republic did not appear ſo deſperate as to juſtify ſuch a meaſure.

The Senate accordingly ſent a deputation to Sylla with entreaties, and with commands, that he would not advance to the city. This deputation was received by him within a few miles of the gates. He heard the remonſtrance that was made to him with patience, and ſeemed to be moved. He gave orders, in the hearing of the deputies, that the army ſhould halt; ſent the proper officers to mark out a camp, and ſuffered the commiſſioners to return to their employers, full of the perſuaſion that he was to comply with their requeſt. But as ſoon as he thought this intelligence had reached the city, and had lulled his antagoniſts into a ſtate of ſecurity, he ſent a detachment cloſe on the heels of the deputies, with orders to ſeize the neareſt gate; and he himſelf, with the whole army, ſpeedily followed to ſupport them.

The

The gate was accordingly ſeized. The People, in tumult, endeavoured to recover it; Marius ſecured the Capitol, and ſummoned every man, whether freemen or ſlaves, to repair to his ſtandard. His party, as they aſſembled, were drawn up in the ſtreets. Sylla, in the mean time, at the head of his army, ruſhed through the gate, which his vanguard ſtill maintained, againſt the multitudes by whom they were preſſed. He was greatly annoyed from the battlements and windows as he paſſed, and might have been repulſed by the forces which Marius had aſſembled, if he had not commanded the city to be ſet on fire, in order to profit by the confuſion into which the People were likely to be thrown in avoiding or extinguiſhing the flames. By this expedient he drove Marius from all the ſtations he had occupied, forced him to abandon the city, and obliged his adherents to ſeparate.

While the army was diſtributed in different quarters of a city, deformed with recent marks of bloodſhed and fire, their general aſſembled the Senate, and deſired them to deliberate on the preſent ſtate of affairs. Among the meaſures he ſuggeſted on this occaſion, was a law by which Marius, with his ſon, and twelve of his faction, who had ſecreted themſelves, were declared enemies of their country. This ſentence was accompanied with a public injunction to ſeize or kill them wherever they could be found. The reaſons upon which this act of attainder was granted were, that they had violated the laws of the republic, and ſeduced the ſlaves to deſert from their maſters, and to take arms againſt the State (*f*).

While the officers of juſtice were diſperſed in execution of this decree, and many others were

(*f*) Appian. de Bell. Civil. lib. i. p. 387. The names mentioned in this act of attainder or outlawry, were Sulpicius, Marius' father and ſon, P. Cethegus, Junius Brutus, Cneius and Pub. Granii, Albinovanus, Marcus Suetonius.

busy

BOOK II. busy in search of their private enemies, thus laid at their mercy, the Tribune Sulpicius, having fled to the marshes on the coast near Laurentum, was dragged from thence and slain. His head, severed from the body, as that of a traitor, who had surpassed every leader of faction in the outrages done to the laws and the government of his country, was exposed on one of the rostra; an example afterwards frequently imitated, and which, though it could not make any addition to the evil of the times, became an additional expression of the animosity and rancour of parties against each other (*g*).

Marius, upon his expulsion from Rome, retired to his own villa at Salonium; and, being unprovided for a longer flight, sent his son to the farm of one Mutius, a friend in the neighbourhood, to procure what might be necessary for a voyage by sea. The young man was discovered at this place, and narrowly escaped in a waggon loaded with straw, which, the better to deceive his pursuers, was ordered to take the road to Rome. The father fled to Ostia, and there embarked on board a vessel which was provided for him by Numerius, who had been one of his partizans in the late troubles. Having put to sea, he was forced by stress of weather to Circeii, there landed in want of every necessary, and made himself known to some herdsmen, of whom he implored relief. Being informed of the parties that were abroad in pursuit of him, he concealed himself for the night in a neighbouring wood. Next day, as he was within a few miles of the town of Minturnæ, he was alarmed at the sight of some horsemen, ran with all the speed he could make to the shore, and, with much difficulty, got on board of a boat which was passing. The persons with whom he thus took re-

(*g*) Velleius Paterculus, lib. ii. c. 19.

fuge

fuge reſiſted the threats and importunities of the pursuers to have him delivered up to them, or thrown into the ſea; but having rowed him to a ſuppoſed place of ſafety, at the mouth of the Liris, they put him on ſhore, and left him to his fate. Here he firſt took refuge in a cottage, afterwards under a hollow bank of the river, and, laſt of all, on hearing the tread of the horſemen, who ſtill purſued him, he plunged himſelf to the chin in the marſh; but, though concealed by the reeds and the depth of the water, he was diſcovered and dragged from thence all covered with mud. He was carried to Minturnæ, and doomed by the magiſtrates of the place to ſuffer the execution of the ſentence which had been denounced againſt himſelf and his partizans at Rome. He was, however, by ſome connivance, allowed to eſcape from hence, again put to ſea, and, at the iſland Ænaria, joined ſome aſſociates of his flight. Being afterwards obliged to land in Sicily for a ſupply of water, and being known, he narrowly eſcaped with the loſs of ſome of the crew that navigated his veſſel. From thence he arrived on the coaſt of Africa; but, being forbid the province by the Prætor Sextilius, continued to ſhift his abode among the iſlands or places of retirement on the coaſt (*h*).

CHAP. VII.

Marius was in his ſeventieth year when he made this attempt to overturn the Roman republic by means of popular tumults, and when he ſtrove to obtain the command of an army in the buſieſt and moſt arduous ſervice which the Roman empire had then to offer. Being forced, by his miſcarriage in this attempt, into the ſtate of an outlaw, he ſtill amuſed the world with adventures and eſcapes, which hiſtorians record with the embelliſhments of a pictureſque and even romantic deſcription. A Gauliſh or German ſoldier, who was employed at

(*h*) Plutarch. in Mario, edit. Lond. p. 534.

BOOK II. Minturnæ to put him to death, overawed by his aſpect, recoiled from the taſk; and the people of the place, as if moved by the miracle, concurred in aiding his eſcape (*i*). The preſence of ſuch an exile on the ground where Carthage had ſtood, was ſuppoſed to encreaſe the majeſty and the melancholy of the ſcene. "Go," he ſaid to the Lictor who brought him the orders of the Prætor to depart, "tell him that you have ſeen Marius ſitting "on the ruins of Carthage (*k*)."

The Senate, thus reſtored to its authority, and, by the ſuppreſſion of the late ſedition, maſters of the city, took the proper meaſures to prevent, for the future, ſuch violations of order introduced for popular government. They reſolved that no queſtion of legiſlation ſhould be agitated in the aſſembly of the Tribes (*l*); and Sylla, before he left the city, thought proper to diſpatch the election of Conſuls for the following year, but did not employ the power, which he now poſſeſſed, to make the choice fall on perſons who were both of the ſenatorian party. Together with Octavius, who had the authority of the Senate at heart, he ſuffered Cinna, though of the oppoſite faction, to be choſen, and only exacted a promiſe from him not to diſturb the public peace, nor, in his abſence, to attempt any thing derogatory of his own honour (*m*).

Having in this manner reſtored the commonwealth, Sylla ſet out with his army for their deſtination in Greece. Quintus Rufus, the other Conſul of the preceding year, at the ſame time repaired to his province in the country of the Marſi, where, as has been mentioned, he was to ſucceed Cn. Strabo in the command of ſome legions; but being leſs agreeable to theſe troops than his predeceſ-

(*i*) Velleius Pater. lib. ii. c. 19. (*k*) Plutarch. in Mario.
(*l*) Appian. de Bell. Civil. lib. i.
(*m*) L. Florus, lib. iii. c. 21. Appian. de Bell. Civil. lib. i.

ſor, the ſoldiers mutinied upon his arrival, and put him to death. Cn. Strabo, though ſuſpected of having connived with them in this horrid tranſaction, was permitted to profit by it in keeping his ſtation. So quick was the ſucceſſion of crimes which diſtreſſed the republic, that one diſorder eſcaped with impunity, under the more atrocious effects of another which followed it.

U. C. 666. L. Corn. Cinna, Cn. Octavius, Coſſ.

When Sylla was about to depart from the city, Virgilius, one of the Tribunes, moved an impeachment againſt him for the illegal ſteps he had lately taken. But the ſtate of the war with Mithridates was urgent, and Sylla took the benefit of the law of Memmius, by which perſons named to command had a privilege to decline anſwering any charge which ſhould be brought againſt them, when going on the ſervice to which they were appointed.

The king of Pontus, notwithſtanding he had been diſappointed in his attempt upon Rhodes, was become maſter of the Leſſer Aſia, had fixed his reſidence at Pergamus, and employed his officers, with numerous fleets and armies, to carry on the war in different quarters, making rapid acquiſitions at once on the ſide of the Scythian and Thracian Boſphorus in Macedonia and in Greece. His general, Archelaus, had reduced moſt of the Greek iſlands, and was haſtening to make himſelf maſter of the Grecian continent. Delos had revolted, and thrown off the yoke of Athens, at the time that it fell into the hands of this general. The king propoſed to make uſe of it as a decoy to bring the Athenians themſelves under his power. For this purpoſe he pretended a deſire to reſtore the iſland, with the treaſure he had ſeized there, to its former maſters; and ſent Ariſtion, a native of Athens, but now an officer in his own ſervice, with an eſcort of two thouſand men, to deliver this treaſure into their hands. Ariſtion being, under

BOOK II. der this pretence, received into the Pyræus, continued to hold this place, with the city of Athens itself, for Mithridates, and, by means of the forces he assembled in Attica, soon after over-ran Beotia, Achaia, and Laconia.

To these powerful encroachments on the Roman territory, and to the personal injuries done to such of their generals as had fallen into his hands, Mithridates had joined a barbarous outrage, that roused, in the highest degree, the resentment of the Roman People. He had sent orders to all his commanders in every town and station in Asia, on a day fixed, to begin a massacre of the Roman citizens that were any where settled in that country, and to publish a reward for the slaves of any Roman who should succeed in destroying their master. This order was executed with marks of insult, in which the instruments of cruelty are often apt to exceed their instructions. It is particularly mentioned, that at Ephesus, Pergamus, and other cities of Asia, intire families, taking refuge in the temples, and embracing the altars, infants with their parents, and without distinction of sex or age, were dragged from thence and murdered. The number of persons that perished in this massacre, if ever known, is no where mentioned (*n*).

The resentment which was natural on this occasion, together with the real danger that threatened the empire, fully justified the contempt with which Sylla treated the impeachment of Virgilius, and the celerity with which he left the city of Rome. Having transported to Dyrachium an army of six legions, he took the route of Thessaly and Ætolia; and having raised in these countries contributions for the pay and subsistence of his army, he received the submission of the Beotians, who had

(*n*) Appian. de Bell. Mithrid. p. 585, 586.

lately

lately been obliged to declare for Mithridates, and advanced to Athens, where Ariſtion in the city, and Archelaus in the Pyræus, were prepared to make a vigorous reſiſtance. Mithridates, who was maſter of the ſea, collected together all the troops which he had diſtributed in the iſlands, and ordered a great reinforcement from Aſia to form an army on the ſide of Beotia for the relief of Athens.

Sylla, to prevent the enemy, haſtened the ſiege of this place. He firſt made an attempt to force his way into the Pyræus by ſcaling the walls; but being repulſed, had recourſe to the ordinary means of attack. He erected towers, and raiſing them to the height of the battlements, got upon the ſame level with the beſieged, and plied his miſſiles from thence. He ſhook the walls with battering engines, or undermined them with galleries, and made places of arms for his men, near to where he expected to open a breach. But the defence of the place was vigorous and obſtinate, and ſo well conducted, that he was obliged, after many fruitleſs efforts, to turn the ſiege into a blockade, and to await the effects of famine, by which the city began already to be preſſed.

It was in a little time brought to the laſt extremity. Thoſe who were confined within the walls had conſumed all the herbage, and killed all the animals that were to be found in the place; they were reduced to feed on the implements of leather, or other materials that could be turned into ſuſtenance, and came at laſt to prey upon the carcaſes of the dead. The garriſon was greatly diminiſhed in numbers; and of thoſe who remained, the greater part was diſpirited and weak: but Ariſtion, expecting for himſelf no quarter from the Roman general, ſtill ſhowed no deſire to capitulate; when Sylla, knowing the weak ſtate to which the beſieged were reduced, made a vigo-

rous

rous effort, ſtormed and forced the walls with great ſlaughter. Ariſtion, who had retired into the Acropolis, was ſoon afterwards taken and ſlain.

Archelaus, likewiſe greatly diſtreſſed in the Pyræus, found means to eſcape by water, and haſtened to join the army that was forming on the ſide of Theſſaly; leaving the poſt he abandoned to fall into the hands of Sylla, who raſed its fortifications to the ground.

The army of Mithridates advanced into Beotia. Every part of it was ſumptuouſly provided with all that was neceſſary for ſubſiſtence or parade. There was a numerous cavalry richly capariſoned; an Infantry of every deſcription, variouſly armed, ſome to uſe miſſile weapons, others to engage in cloſe fight; a large train of armed chariots, which, being winged with ſcythes, threatened to ſweep the plains. The whole army amounted to about an hundred and twenty thouſand men. But their maſter, with all his ability, it appears, relied, in the manner of barbarous nations, more on their numbers than he did on their order, or on the conduct of their officers. Sylla was to oppoſe them with thirty thouſand men.

On this inferior enemy Archelaus continually preſſed with all his forces, and endeavoured to bring on a general action, which Sylla cautiouſly avoided; waiting for an opportunity that might deprive the enemy of the advantage they had in the ſuperiority of their numbers. The armies being both in Beotia, Archelaus inadvertently took poſt near Cheronea, on the aſcent of a ſteep hill that was formed into terraces by ledges of rocks, and which terminated at laſt in a peak or narrow ſummit. On the face of this hill he had crowded his infantry, his cavalry, and his chariots, and truſted that, although the ground was unfavourable to

ſuch an army, it was ſtill inacceſſible, and could not be reached by an enemy. CHAP. VII.

While Archelaus believed himſelf ſecure in this poſition, Sylla continued to obſerve him from the poſt he had fortified at a little diſtance; and was told by ſome natives of the country, that the hill which the enemy had occupied might be aſcended in their rear, and that any part of his army might be ſafely conducted to the ſummit. Upon this information he made a diſpoſition to engage, placed his main body againſt the enemy in front, and, that he might throw them into confuſion by a double attack, ſent a powerful detachment, with proper guides, to ſeize on the heights above their encampment.

The unexpected appearance of Sylla's detachment in the rear produced the alarm that was intended. Their impetuous deſcent from the hill drove in confuſion all who came in their way from thence to the camp. The rear fell down on the front. A great uproar and tumult aroſe in every part. And in this critical moment Sylla began his attack, and broke into the midſt of enemies, who were altogether unprepared to receive him. They were crowded in a narrow ſpace, and mixed without any diſtinction of ſeparate bodies of officers or men; and, under the diſadvantage of their ground, could neither reſiſt nor retire. In the centre, numbers being trod under foot by thoſe who crowded around them, periſhed by violence or ſuffocation; or, while they endeavoured to open a way to eſcape, were ſlain by each others ſwords. Of an hundred and twenty thouſand men, ſcarcely ten thouſand could be aſſembled at Chalcis in Eubœa, the place to which Archelaus directed his flight. Of the Romans, at the end of the action, only fifteen men were miſſing, and of theſe two returned on the following day (*o*).

(*o*) For this fact Plutarch quotes the Memoirs of Sylla.

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Archelaus, even after this rout of his army, being ſtill maſter at ſea, drew ſupplies from Aſia and from the neighbouring iſlands; and, being ſecure in his retreat in Eubœa, made frequent deſcents on the neighbouring coaſts. While Sylla endeavoured to cover the lands of Beotia and Attica from theſe incurſions, Mithridates made great efforts to replace his army in that country; and in a little time had tranſported thither eighty thouſand freſh troops under Dorilaus, to whom Archelaus joined himſelf with thoſe he had ſaved from the late diſaſter. The new army of Mithridates, conſiſting chiefly of cavalry, was greatly favoured by the nature of the ground in Beotia, which was flat and abounding in forage. Sylla, though inclined to keep the heights on which he was leaſt expoſed to the enemy's cavalry, was obliged, in order to cover the country from which he drew his ſubſiſtence and forage, to deſcend to the plains in the neighbourhood of Orchomenos. There he took poſt among the marſhes, and endeavoured to fortify himſelf with deep ditches againſt the enemy's horſe. While his works were yet unfiniſhed, being attacked by the Aſiatic cavalry, not only the labourers, but the troops that were placed under arms to cover the workmen, were ſeized with a panic, and fled. Sylla, having for ſome time in vain endeavoured to rally them, laid hold of an enſign, and ruſhed in deſpair on the enemy. "To me," he ſaid, "it is glorious to fall in this place: but for you, "if you are aſked where you deſerted your "leader, you may ſay at Orchomenos." Numbers who heard this reproach returned to the charge with their general; and wherever they preſented themſelves, ſtopped the career of the enemy, and put them to flight. The Roman army at length recovered itſelf in every part of the field; and Sylla, remounting his horſe, took the full advantage of the change of his fortune, purſued the enemy

to

to their camp, and forced them to abandon it with great ſlaughter.

After the loſs of this ſecond army, Mithridates appears to have deſpaired of his affairs in Greece: he ſuffered Sylla to enter into quiet poſſeſſion of his winter quarters in Theſſaly, and authoriſed Archelaus to treat of peace.

Both parties were equally inclined to a treaty; the king of Pontus urged by his loſſes, and the Roman Proconſul by the ſtate of affairs in Italy. Sylla, though commanding in Greece by authority from the Roman Senate, had been degraded, and declared a public enemy by a reſolution of the People at Rome. An officer had been ſent from Italy to ſupercede him; and a Roman army, independent of his orders, was actually employed in the province. Mithridates too, while he had ſuſtained ſuch loſſes in Greece, was preſſed by the other Roman army in Aſia, under the command of Fimbria, who, with intentions equally hoſtile to Sylla as to Mithridates, advanced with a rapid pace, reduced ſeveral towns on the coaſt, and had lately made himſelf maſter of Pergamus, where the king himſelf had narrowly eſcaped falling into his hands. In theſe circumſtances a treaty was equally ſeaſonable for both.

Sylla had been abſent from Rome about two years, during which time, having no ſupplies from thence, he had ſupported the war by the contributions which he had raiſed in Greece, Ætolia, and Theſſaly, and with the money he had coined from the plate and treaſure of the Grecian temples (*p*). The republic, in the mean time, had been in the poſſeſſion of his enemies, and the authority of the Senate was, in a great meaſure, ſuppreſſed. Soon after he left the city, Cinna, notwithſtanding his engagements to Sylla, revived the project of keep-

(*p*) Plutarch. in Sylla & Lucullo.

BOOK II. ing the more reſpectable citizens in ſubjection, under pretence of a government placed in the hands of the People.

The deſignation of the popular party was the ſame with that which had diſtinguiſhed the followers of Tiberius and Caius Gracchus; but the object was changed, and the nominal popular faction itſelf was differently compoſed. Formerly this faction conſiſted of the populace of Rome and of the poorer citizens, oppoſed to the noble and the rich. The objects for which they at that time contended, were the diſtribution of corn, new ſettlements, or the diviſion of lands. At preſent the parties conſiſted of the inhabitants of the country towns lately admitted, or ſtill claiming to be admitted, on the rolls of the People on one ſide, and of the Senate and antient citizens on the other. The object to which the former aſpired, was a full and equal participation in all the powers that belonged to the Roman People. They were far from being ſatisfied with the manner of their inrolment into a few particular Tribes, and laid claim to be admitted without diſtinction among the antient citizens, and to have conſideration and power proportioned to their numbers. In this they were ſupported by Cinna, who made a motion in their favour in the aſſembly of the People, and at the ſame time propoſed to recal Marius and the other exiles of that party from their baniſhment. The Conſul Octavius, with the majority of the Senate and antient citizens, oppoſed theſe propoſitions; but Cinna was likely to have a powerful ſupport in the new people that flocked to him from the country towns, and in the friends of the exiles. On the day of aſſembly, multitudes of the new citizens took poſſeſſion of the place of meeting, and were obſerved to be armed with daggers or ſhort ſwords. Octavius was attended at his houſe by a numerous aſſembly of the ancient citizens,

who

who were armed in the ſame manner, and waited to take ſuch meaſures as the neceſſity of the caſe might require. Being told that the Tribunes who had forbidden the queſtion were violently attacked, and likely to be forced from the aſſembly, they came forth into the ſtreets, and drove their antagoniſts, with ſome bloodſhed, through the gates of the city. Cinna endeavoured to make head againſt his colleague, and invited the ſlaves, under a promiſe of liberty, to his ſtandard. But finding it impoſſible within the city, that was occupied by his opponents, to withſtand their force, he withdrew to the country towns, and ſolicited ſupplies from thence. He paſſed through Tibur and Præneſte to Nola, and openly implored the inhabitants to aid him againſt their common enemies. On this occaſion he was attended by Sertorius, and by ſome other Senators who had embarked in the ſame ruinous faction. Their ſolicitations at any other time might perhaps have been fruitleſs; but now, to the misfortune of the republic, a number of armies were ſtill kept on foot in Italy, to finiſh the remains of the ſocial war. Cn. Strabo commanded one army in Umbria, Metellus another on the confines of Lucania and Samnium, and Appius Claudius a third in Campania. Theſe armies conſiſted chiefly of indigent citizens, become ſoldiers of fortune, were very much at the diſpoſal of their leaders, in whoſe name they had been levied, to whom they had ſworn the military oath, and on whom they depended for the ſettlements and rewards which they were taught to expect at the end of their ſervices. They were inclined to take part in the cauſe of any faction that was likely by the expulſion and forfeiture of one part of the city, to make way for preferments and fortunes to the other.

Cinna diſtruſted Pompey and Metellus; but hoping for a better reception from Appius Claudius, he

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he repaired to the camp of this general, and had the addreſs to gain the troops who were under his command.

Octavius and Merula.

Mean time the Senate, without entering into any particular diſcuſſion of the guilt which Cinna had incurred in the late tumult at Rome, found that, by having deſerted his ſtation, he had actually diveſted himſelf of his office as Conſul, and they obtained the election of L. Cornelius Merula in his place.

Marius, being informed that one of the armies in Italy, with a Roman Conſul at its head, was prepared to ſupport him, made haſte from his exile in Africa: he landed in Tuſcany, was joined by numbers, and had an offer of being veſted with the enſigns of Proconſul. But intending to move indignation or pity, he declined every privilege of a Roman citizen, until the ſentence of attainder or baniſhment, which had been pronounced againſt him, ſhould be reverſed. In the manner practiſed by ſuppliants, with a mean habit and ghaſtly figure, to which he was reduced by the diſtreſs of his exile, he preſented himſelf to the People; but with a countenance, ſays his hiſtorian, which, being naturally ſtern, now rather ſeemed terrible than piteous *(q)*. He implored the protection of the country towns, in whoſe cauſe he too pretended to have ſuffered, and whoſe intereſts were now embarked on the ſame bottom with his own. He had many partizans among thoſe who had compoſed the legions which formerly ſerved under his orders. He had reputation and authority, and ſoon aſſembled a conſiderable force, with which, in concert with Cinna, with Sertorius and Carbo, he advanced towards Rome.

They inveſted the city in three ſeparate diviſions. Cinna and Carbo lay before it, Sertorius

(q) Plutarch. in Mario.

took

took poſt on the river above, and Marius below it. The laſt, to prevent ſupplies from the ſea, made himſelf maſter of the port of Oſtia; the firſt had ſent a detachment to Ariminum, to prevent any relief from the ſide of Gaul.

In this extremity the Senate applied to Metellus, requeſting that he would make any accommodation with the Italian allies, and haſten to the relief of the city. The delays which he made in the execution of theſe orders, enabled Cinna and Marius to prevent him in gaining the allies. The inhabitants of Italy at this time had it in their option to accept the privileges they claimed from either party; and, having choſen to join themſelves with the popular faction, they threw their weight into that ſcale.

Metellus, however, advanced into Latium; and, being joined by the Conſul Octavius, took poſt on the Alban Hill. Here they found that the troops, being inclined to favour their enemies, deſerted apace. Metellus, being reduced to a few attendants, deſpaired of the cauſe, and withdrew into Africa. Octavius returned to his ſtation in the city.

The army lately commanded by Pompeius Strabo, was now deprived of its general; he having been killed by lightning in his camp. And the Senate was not inclined to repoſe any confidence in his men. He himſelf had ſome time heſitated between the parties; and the troops, at his death, were prepared to chooſe the ſide which was moſt likely to favour their intereſt. With ſo uncertain a proſpect of ſupport, the Senate thought it ſafer to enter into a treaty with Cinna and Marius, than to remain expoſed to the neceſſity of being obliged to admit them by force. They offered to reinſtate Cinna in the office of Conſul, and to reſtore Marius, with the other exiles, to their condition of Roman citizens; only ſtipulating that they

would

BOOK II.

would ſpare the blood of their opponents, or proceed againſt them according to the laws of the commonwealth. While this treaty was in dependance, Marius, affecting the modeſty of a perſon whom the law, according to his late ſentence of baniſhment, had diſqualified to take any part among citizens, obſerved a ſullen and obſtinate ſilence. Even when the treaty was concluded, and the gates were laid open to himſelf and his followers, he refuſed to enter until the attainder under which he lay ſhould be taken off, and until he was replaced in his condition as a Roman. The People were accordingly aſſembled to repeal their former decree. But Marius, propoſing to take his enemies by ſurpriſe, did not wait for the completion of the ceremony. While the ballots were collecting, he entered the city with a band of armed men, whom he employed in taking vengeance on all thoſe who had concurred in the late meaſures againſt him. The gates, by his orders, were ſecured, but moſt of the Senators eſcaped. Sylla's houſe was demoliſhed, many who were reputed his friends were ſlain, others aſſiſted his wife and his children in making their eſcape. Among the ſignals by which Marius directed the execution of particular perſons, it was underſtood that if he did not return a ſalute which was offered him, this was to be conſidered as a warrant for immediate death. In compliance with theſe inſtructions, ſome citizens of note were laid dead at his feet. And as the meaneſt retainers of his party had their reſentments as well as himſelf, and took this opportunity to indulge their paſſions, the city reſembled a place that was taken by ſtorm, and every quarter reſounded with the cries of robbery, murders, and rapes. This horrid ſcene continued without intermiſſion five days and five nights.

The following are the names of a few of the principal Senators who ſuffered: the Conſul Octavius

vius was murdered in his robes of office, and in presence of his lictors; two Senators of the name of Cæsar, Caius and Lucius; two of the name of Crassus, the father and the son, who, attempting to escape, but likely to be taken, fell by their own hands; Attilius Serranus, Publius Lentulus, C. Numitorius, M. Bæbius, whose bodies, fastened on a hook, were dragged by a rope through the streets; Marcus Antonius, one of the first Roman Senators, who had betaken himself intirely or chiefly to civil arts, and is known therefore by the name of the Orator; this Senator being discovered in a place of concealment, was killed by assassins sent for the purpose. The heads of the others were exposed on the rostra; that of Antonius was placed on the table of Marius, who bore him, it seems, a peculiar degree of animosity and rancour. Catulus, once the colleague of Marius in the Consulate, partner in his last and most decisive victory over the Cimbri, and without question one of the most respectable Senators of the age, was included in the warrant for general execution. Marius being solicited in his favour, made answer, *He must die*. And this victim, choosing to avoid by a voluntary death the insults likely to be offered to him by his enemies, having shut himself up, with a brasier of burning coals, in a close chamber which was recently plaistered, perished by suffocation.

Merula, the Flamen Dialis, whose name, without his own knowledge, had been inscribed Consul in place of that of Cinna, now likewise, willing to maintain the dignity of his station, opened his arteries at the shrine of Jupiter, whose priest he was, sprinkled the statue of the god with his blood; on feeling the approach of death, he tore from his head the apex or crest of the order, which, by the maxims of religion, he always carried while alive, but with which on his head it would have been impious and ominous to die, and took those who were present

BOOK II. present to witneſs of the exactneſs with which he performed this duty.

Cinna himſelf became weary of the murders which were committed to gratify the avarice of mean and needy adventurers, or the rancour even of fugitive ſlaves againſt the maſters they had deſerted; he wiſhed to terminate ſo horrid a ſcene, but it ſeems could not ſtop it otherwiſe than by the death of thoſe who were employed in it. He cauſed great numbers of them accordingly to be ſurrounded and put to the ſword. He propoſed, in concert with Marius, to give ſome form or title to their government, by aſſuming the Conſulate: and although there is no doubt that they could have eaſily obtained the ſanction of an ordinary election, yet they choſe to uſurp the enſigns and powers of Conſul without any ſuch pretence (*r*). Marius, while he took the title of Conſul, continued to act like a chief of banditti, connived at the diſorders that were committed by his military retainers, and continued ſtill to ſuperintend the execution of the orders which he had given on his firſt entry into the city, to put his opponents to death.

In the midſt of theſe crimes, however, the name of Sylla, and the fame of his victories in Greece, gave continual preſage of a juſt retribution. Marius was agitated with nocturnal fears, and gave ſigns of a diſtracted mind. Some one, he imagined, in the words of a poet, continually ſounded in his ears, *Horrid is the dying lion's den*; which being applied to himſelf, ſeemed to announce his approaching diſſolution. He took to the exceſſive uſe of wine, contracted a pleuriſy, and died on the ſeventh day of his illneſs, in the ſeventeenth day of his laſt or ſeventh Conſulate, and in the ſeventieth year of his age; leaving the tools he had employed

(*r*) Livy, Epitome, lib. viii.

in

in subverting the government of his country, to pay the forfeit of his crimes.

Livy, it appears (*s*), had made it a queſtion, whether Marius had been moſt uſeful to his country as a ſoldier, or pernicious as a citizen. It has happened unfortunately for his fame, that he cloſed the ſcene of life with examples of the latter kind. In what degree he retained his genius or abilities cannot be known. His inſatiable thirſt of power, like avarice in the caſe of other perſons, ſeemed to grow with age. His hatred of the Nobles, contracted in the obſcurity of his early life, remained with him after he himſelf had laid the ampleſt foundations of Nobility in his own family. And he died in an attempt to extinguiſh all juſt or regular government in the blood of thoſe who only were qualified or diſpoſed to ſuſtain it.

Upon the death of Marius, the government ſtill continued to be uſurped by Cinna. Many of the Senators, and other citizens, obnoxious to the prevailing party, took refuge with Sylla. This general himſelf was declared a public enemy; his effects were ſeized; his children, with their mother, having narrowly eſcaped the purſuit of his enemies, fled to the father in Greece.

Upon this occaſion Sylla did not change his conduct in the war, nor make any conceſſions to the enemies of the State. He talked familiarly every day of his intention to puniſh his enemies at Rome, and to avenge the blood of his friends, but not till he had forced Mithridates to make reparation for the wrongs he had done to the Romans and to their allies in Aſia.

Alarmed by theſe threats, Cinna took meaſures to ſtrengthen his party; aſſumed, upon the death of Marius, Valerius Flaccus as his colleague in

(*s*) Livy, Epitome, lib. viii. Appian. de Bell. Civil. lib. i. Plutarch. in Mario. Florus, lib. iii. c. 21. Velleius Pater. lib. ii. c. 19, &c. Dio. Caſſ. in Fragmentis.

the

BOOK II. the office of Conſul; and, having aſſigned him the command in Aſia, with two additional legions, truſted that with this force he might obtain poſſeſſion of the Province.

But Flaccus, upon his arrival in Theſſaly, was deſerted by part of the army, which went over to Sylla; and paſſing through Macedonia in his route to Aſia with the remainder, a diſpute aroſe between himſelf and his lieutenant Fimbria, which ended in the murder of the Conſul Flaccus, and in the ſucceſſion of Fimbria to the command. So little deference or reſpect did citizens pay, in the diſorder of thoſe unhappy times, even to the government they profeſſed to ſerve.

Fimbria, with the troops he had ſeduced to his ſtandard, after he had aſſaſſinated their general, made a rapid progreſs in Aſia, and haſtened, as has been obſerved, the reſolution to which Mithridates was come, of applying for peace. To this crafty prince, urged by the neceſſity of his own affairs, the conjuncture appeared to be favourable, when ſo much diſtraction took place in the councils of Rome. He had experienced the abilities of Sylla; he knew his eager deſire to be gone for Italy, and to be revenged of his enemies; and he expected to gain him by proffering aſſiſtance in the war he was about to wage with the oppoſite party at Rome.

Upon a meſſage from Archelaus, Sylla readily agreed to an interview in the iſland of Delos; and here being told, in the name of Mithridates, that he ſhould have money, troops, and ſhipping to make a deſcent on Italy, provided he would enter into a confederacy with the king of Pontus, and make war on the Romans, by whom he was now proſcribed, Sylla, in his turn, propoſed to Archelaus to deſert Mithridates, to deliver up the fleet and the army which was under his command, and to rely for protection and reward on the faith of the

the Romans. They will ſpeedily ſeat you, he ſaid, on the throne of Pontus. Archelaus having rejected this propoſal with horror, "And you," ſays Sylla, "the ſlave, or (if you prefer that title) "the friend of a barbarous tyrant, will not betray "your truſt, and yet to me have the preſumption "to propoſe an act of perfidy. The fields of "Chæronea and Orchomenos ſhould have made "you better acquainted with the character of the "Romans."

Upon this reply Archelaus ſaw the neceſſity of purchaſing the treaty he was inſtructed to make, and accordingly made the following conceſſions:

That the fleet of Pontus, conſiſting of ſeventy Galleys, ſhould be delivered up to the Romans.

That the garriſons ſhould be withdrawn from all places which had been ſeized in the courſe of this war.

That the Roman province in Aſia, together with Paphlagonia, Bithynia, and Cappadocia ſhould be evacuated, and the frontier of Pontus, for the future, be the boundary of Mithridates's territory.

That the Romans ſhould receive two thouſand talents (*t*), to reimburſe their expence in the war.

That priſoners ſhould be reſtored, and all deſerters delivered up.

While theſe articles were ſent to Mithridates for his ratification, Sylla in no degree relaxed the meaſures he had taken to ſecure and facilitate the paſſage of his army into Aſia. He ſent Lucullus (*u*) round the maritime powers of the Eaſt to aſſemble a fleet; and, after having made ſome incurſions into Thrace, to gratify his army with the ſpoil of

(*t*) About 386,000l.

(*u*) Vide Plutarch. in Lucullo.

nations

BOOK II. nations who had often plundered the Roman province, he continued his route to the Hellespont, and was met in his way by the messengers of Mithridates, who informed him that their master agreed to all the articles proposed, except to that which related to the cession of Paphlagonia; and at the same time made a merit of the preference he had given to Sylla in this treaty; as he might have obtained more favourable terms from Fimbria. "That is a traitor," said Sylla, "whom "I shall speedily punish for his crimes. As for "your master, I shall know, upon my arrival "in Asia, whether he chooses to have peace or "war."

Being arrived at the Hellespont, he was joined by Lucullus with a fleet which enabled him to pass that strait. Here he was met by another message from Mithridates, desiring a personal interview; which was accordingly held in the presence of both armies, and at which the king of Pontus, after some expostulations, agreed to all the conditions already mentioned. In this he probably acted from policy, as well as from the necessity he felt in the present state of his affairs. He still hoped, in consequence of this treaty, to turn the arms of Sylla against the Romans, and trusted that the peace he obtained for himself in Asia was to be the beginning of a war in Italy, more likely to distress his enemies than any efforts he himself could make against them. With this reasonable prospect he retired into his own kingdom of Pontus; and there, strengthening himself by alliances and the acquisition of territory on the northern coasts of the Euxine, he prepared to take advantage of future emergencies, and to profit by the state of confusion into which the affairs of the Romans were hastening.

Sylla having brought the Mithridatic war to an issue so honourable for himself, and having every

where gratified his army with the ſpoils of their enemies, being poſſeſſed of a conſiderable ſum of money and a numerous fleet, and being ſecure of the attachment of the ſoldiers, who had experienced his liberality, and reſted their hopes of fortune on the ſucceſs of his future enterprizes, prepared to take vengeance on his enemies, and thoſe of the republic in Italy. He proceeded, however, with great deliberation and caution; and, as if the State at Rome were in perfect tranquillity, ſtaid to reduce the army of Fimbria, to reſettle the Roman province, and to effect the reſtoration of the allies, Nicomedes and Ariobarzanes, to their ſeveral kingdoms of Cappadocia and Bithynia.

Fimbria being required by Sylla to reſign a command which he had illegally uſurped, retorted the charge of uſurpation, and treated Sylla himſelf as an outlaw: but upon the approach of this general, being deſerted by his army, he fled to Pergamus, and there put an end to his life by the hands of a ſlave, of whom he exacted this ſervice. To puniſh the province of Aſia for its defection to Mithridates, Sylla obliged the inhabitants to pay down a ſum equal to five years ordinary tax. He ſent Curio to replace on their thrones the kings of Cappadocia and Bithynia, who had perſevered in their alliance with Rome, and ſent an account of theſe particulars to the Senate, without taking any notice of the edict by which he himſelf had been ſtripped of his command, and declared an enemy (*w*). Before he ſet ſail, however, for Italy, he thought proper to tranſmit to Rome a memorial, ſetting forth his ſervices and his wrongs, as well as the injury done to many Senators who had taken refuge in his camp, and concluding with menaces of juſtice againſt his own enemies and thoſe of the republic, but aſſuring the citizens in general of pro-

(*w*) Appian. in Bell. Mithridat. Plutarch. in Syll.

tection

BOOK II. tection and security. This paper being read in the Senate, struck many of the members with dreadful apprehensions; expedients were proposed to reconcile the parties, and to avert the evils which the republic must suffer from their repeated contentions. A message was sent to pacify Sylla, and earnest intreaties were made to Cinna, that he would suspend his levies until an answer could be obtained from the other. But Cinna, in contempt of these pacific intentions, took measures to prosecute the war; divided the fasces with Cn. Papirius Carbo, whom, without any form of election, he assumed for his colleague in the Consulate; and, in the partition of provinces, retained for himself the administration in Italy, while he assigned to Carbo the command in the neighbouring Gaul. These titular magistrates, with all the adherents of their faction, applied in great haste to the raising of men, and securing the fidelity of the towns within the several divisions which they had received in charge.

U. C. 669. L. Cornelius Cinna 4to, Cn. Papirius Carbo.

Carbo exacted hostages for their good behaviour from all the towns in his district; but as he had not authority from the Senate for this measure, he found himself unable to give it effect. To Castricius, the chief magistrate of Placentia, a person of great age, who refused to comply, he said, "Have not I your life in my power?" "And have not I," said the other, "already lived "long enough (*x*)?"

Cinna, however, having mustered a considerable force, intended to make head against Sylla in Thessaly, through which he was expected to pass in his way to Italy, and determined to transport his army thither. But the troops being averse to embark, he himself, endeavouring to force them, was killed in a mutiny. A general disorder and

(*x*) Val. Max. lib. vi. c. 2.

anarchy

anarchy infected the whole party. The election of a successor to Cinna was twice interrupted by supposed unfavourable presages, and Carbo remained sole Consul. CHAP. VII.

At this time an answer arrived from Sylla to the proposals made by the Senate towards a reconciliation of parties; in which he declared, "That he "never could return into friendship with persons "guilty of so many and such enormous crimes. "If the Roman People, however, were pleased "to grant an indemnity, he should not interpose, "but would venture to affirm, that such of the "citizens as chose, in the present disorders, to "take refuge in his camp, would find themselves "safer than in that of his enemy's." He had embarked his army at Ephesus, and in three days reached the Pyræus, the port of Athens. Here he was taken ill of the gout, and was advised to use the hot baths at Adipsus; at which he accordingly passed some time with great appearance of ease, amusing himself with buffoons and ordinary company, as if he had no affair of any consequence in contemplation. His fleet, in the mean time, consisting of twelve hundred ships, coasted round the Peloponnesus, and took on board the army which had marched by Thessaly to Dyrachium. Being apprehensive that some part of the legions, upon landing in Italy, and with so near a prospect of returning to their homes, might desert, or, trusting to their consequence in a civil war, might become disorderly and distress the inhabitants, he exacted a special oath, by which every man bound himself, upon his arrival in Italy, to abide by his colours, and to observe the strictest order in his march through the country. The troops, wishing to remove all the remains of a distrust which had suggested this precaution, made a voluntary offer of a contribution towards the support of the war; and Sylla, without accepting the favour, set sail with

BOOK II. the additional confidence which this proof of attachment in the army inſpired.

He had, according to Appian, five Roman legions, with ſix thouſand Italian horſe, and conſiderable levies from Macedonia and Greece, amounting in all to about ſixty thouſand men. With this force he landed in Italy, in the face of many different armies, each of them equal or ſuperior in number to his own. The oppoſite party were ſuppoſed to have on foot, at different ſtations, above two hundred thouſand men.

U. C. 670. L. Corn. Scipio, C. Jun. Norbanus.

L. Cornelius Scipio and C. Junius Norbanus, who were its leaders, being in poſſeſſion of the capital and of the place of election, were named for Conſuls. Norbanus, in name of the republic, commanded a great army in Apulia; Scipio, another on the confines of Campania. Sertorius, young Marius, with Carbo, in the quality of Proconſul, and others (as Plutarch quotes from the memoirs of Sylla) to the number of fifteen commanders, had each their armies, amounting in all to four hundred and fifty cohorts (*a*); of theſe different bodies none attempted to diſpute the landing of Sylla, nor, for ſome days, to interrupt his march. He accordingly continued to advance as in a friendly country, and in the midſt of profound peace. The inhabitants of Italy, conſidering the Roman nobility, in whoſe cauſe Sylla appeared, as averſe to the claim they had made of being promiſcuouſly enrolled in the Tribes of Rome, were likely to oppoſe him, and to favour the faction which had for ſome time prevailed in the State. To allay their animoſity, or to prevent their taking an active part againſt him, Sylla ſummoned the leading men of the country towns as he paſſed, and gave them aſſurances that he would confirm the grants which had been made to them, if they did not forfeit

(*a*) About 225,000 men.

theſe

these and every other title to favour, by abetting the faction which had subverted the government.

On his march he was joined by Metellus Pius, who, as has been observed, after a fruitless attempt, in conjunction with the Consul Octavius, to cover Rome from the attack of Marius and Cinna, had withdrawn to Africa; and being forced from thence by Fabius, returned into Italy. Being in Liguria, where he still retained the character of Proconsul, he endeavoured to keep some forces on foot, and to sustain the hopes of his party, when so great a change was made in their favour by the arrival of the army from Greece.

Sylla was likewise, about the same time, joined by Cneius Pompeius, son to the late Consul Pompeius Strabo, who, though too young for any public character, had assembled a considerable body of men to make himself of consequence in the present contest. Being now only about nineteen years of age, he was remarked for engaging manners, and a manly aspect, which procured him a general favour and an uncommon degree of respect(z). This distinction being unsought for, was possibly considered by him as his birth-right, and gave him an early impression of that superiority to his fellow-citizens which he continued to assume through the whole of his life. He had served in those legions with which Cinna intended to have carried the war against Sylla into Asia or Greece; but, being averse to the party, he withdrew when the army was about to embark, and disappearing suddenly, was supposed to have been murdered by the order of Cinna, a suspicion, which, among other circumstances, incited the soldiers to that mutiny in which the general was killed. Sylla appears himself to have been won by the promising aspect of this young man, and received him with distinguishing marks of regard.

(z) Plutarch. in Mario.

BOOK II.

Numbers of the Senate and Nobles, who had hitherto remained expoſed at Rome to the inſults of their enemies, now repaired to the camp of Sylla. The Conſul Norbanus, being joined by young Marius, lay at Canuſium. Sylla, while he was preparing to attack them, ſent an officer with overtures of peace; theſe they rejected with marks of contempt. This circumſtance had an effect which Sylla perhaps foreſaw and intended. It rouſed the indignation of his army, and in the action which followed, had ſome effect in obtaining a victory in which ſix thouſand (*b*) of the enemy were killed, with the loſs of only ſeventy men to himſelf.

Norbanus, after this defeat, retreated to Capua; and, being covered by the walls of that place, waited the arrival of Scipio, who intended to join him with the army under his command. Sylla marched to Tianum to prevent their junction; and, on the approach of Scipio, propoſed to negotiate. The leaders, with a few attendants, met between the two armies, and were nearly agreed upon terms of peace; but Scipio delayed his final conſent until he ſhould conſult with Norbanus at Capua. Sertorius was accordingly diſpatched to inform Norbanus of what had paſſed, and hoſtilities were to be ſuſpended until his return; but this meſſenger, probably averſe to the treaty, broke the truce, by ſeizing a poſt at Sueſſa which had been occupied by Sylla; and the negociation had no other effect than that of giving the troops of both armies, as well as their leaders, an opportunity of conferring together; a circumſtance which, in civil wars, is always dangerous to one or other of the parties. In this caſe the popularity of Sylla prevailed; and the ſoldiers of his army, boaſting of the wealth which they had acquired under their general, infected his enemies, and ſeduced them

(*b*) Plutarch. in Syll. edit. Londin. p. 83.

to desert their leader. Scipio was left almost alone in his camp; but Sylla, receiving the troops who deserted to him, made no attempt to seize their general, suffered him to escape, and, with the accession of strength he had acquired by the junction of this army, continued his march towards Rome. Norbanus at the same time evacuated Capua, and, by forced marches in a different route, endeavoured to prevent him.

About this time, Sertorius, who, before the war broke out, had, in the distribution of provinces, been appointed Proprætor of Spain, despairing of affairs in Italy, in which probably he was not sufficiently consulted, repaired to his province, and determined to try what the genius of a Roman leader could effect at the head of the warlike natives of that country.

The chiefs of the Marian party, who remained in Italy, made efforts to collect all the forces they could at Rome. Carbo, upon hearing that the army of Scipio was seduced to desert their general, said, "We have to do with a lion and a fox, of "which the fox is probably the more dangerous "enemy of the two."

Norbanus, soon after his arrival in the city, procured an edict of the People, by which Metellus, and the others had who joined Sylla, were declared enemies to their country. About the same time a fire broke out in the Capitol, and the buildings were burnt to the ground. Various suspicions were entertained of the cause; but as no party had any interest in this event, it was probably accidental, and served only to agitate the minds of the People, prone to superstition, and apt to find alarming presages in every uncommon event.

The remainder of the season was spent by both parties in collecting their forces from every quarter of Italy; and the term of the Consuls in office being nearly expired, Carbo procured his own nomination

BOOK II. U. C. 671. C. Marius, Cn. Pap. Carbo.

mination to ſucceed them, and inſcribed the name of Marius, ſcarcely twenty years of age, as his colleague. This young man is by ſome ſaid to have been the nephew, by others the adopted ſon, of the late celebrated C. Marius, whoſe name had ſo long been terrible to the enemies, and at length not leſs ſo to the friends, of Rome.

At this time the Senate conſented to have the plate and ornaments of the temples coined for the pay of the ſuppoſed Conſular armies. They were, however, notwithſtanding this act of obſequiouſneſs, believed to incline to the oppoſite party, and not to be truſted in caſe the city were attacked. The members being aſſembled together by orders of the Prætors, Damaſippus and Brutus, the moſt ſuſpected, were taken aſide and put to death; of this number, Quintus Mucius Scævola, Pontifex Maximus, flying to the temple in which he was accuſtomed to diſcharge his ſacred office, was killed in the porch.

The military operations of the following ſpring began with an obſtinate fight between two conſiderable armies commanded by Metellus and Carinas. The latter being defeated with great loſs, Carbo haſtened to the ſcene of action, in order to cover the remains of the vanquiſhed army.

In the mean time Sylla, being encamped at Setia, and having intelligence that the young Marius was advancing againſt him, put his army in motion to meet him, forced him back to Sacriportum, near Præneſte, where an action ſoon after enſued, in which Marius was defeated.

The routed army having fled in diſorder to Præneſte, the firſt who arrived were received into the place; but as it was apprehended the enemy might likewiſe enter in the tumult, the gates were ſhut, and many, being excluded, were ſlaughtered under the ramparts. Marius himſelf eſcaped, by a rope which

which was let down from the battlements to hoist him over the walls. CHAP. VII.

In consequence of this victory Sylla invested Præneste; and as great numbers were thus suddenly cooped up in a town, which was not prepared to subsist them, he had an immediate prospect of seeing them reduced to the necessity of surrendering at discretion. Committing the charge of the blockade to Lucretius Offella, he himself, with part of the army, proceeded to Rome. Metellus, in a second action, had defeated the army of Carbo, and Pompey that of Marius near Sena; and the party of Sylla being victorious in every part of Italy, the city was prepared to receive him as soon as he appeared at the gates. The partizans of the opposite faction withdrew, and left him master of the capital.

Sylla having posted his army in the field of Mars, he himself entered the city, and calling an assembly of the People, delivered an harangue, in which he imputed the disorder of the times to the injustice and cruelty of a few factious men, who had overturned the government, and sacrificed the best blood of the republic to their ambition and to their personal resentments. He exhorted all well-disposed men to be of good courage, and assured them that they should soon see the republic restored. In the mean time, he gratified his army with the spoils of the opposite party, declaring the effects of all those to be forfeited who had been accessary to the crimes lately committed against the State. After this first specimen of his policy in the city, leaving a sufficient force to execute his orders, he hastened to Clusium, where Carbo, being joined by a considerable reinforcement from Spain, was preparing to recover the metropolis, or to relieve his colleague Marius, who was reduced to great distress in Præneste.

BOOK II. The events which followed the arrival and operations of Sylla in Tuſcany were various, but for the moſt part unfavourable to Carbo, whoſe force, by deſertions and the ſword, was declining apace. The iſſue of the war ſeemed to depend on the fate of Præneſte, and the whole force of the party was therefore directed to the relief of that place. The Lucanians and Samnites, who had eſpouſed the cauſe of Marius, and who, by his favour, had obtained the freedom of Rome, apprehending immediate ruin to themſelves, in the ſuppreſſion of a party by whom they had been protected, determined to make one great effort for the relief of Marius.

They were joined in Latium by a large detachment ſent by Carbo, under Carinas and Marcius, and made an attempt to force the lines of the beſiegers at Præneſte, and to open the blockade of that place. But having failed in this deſign, they turned, with deſperation, on the city of Rome, which was but ſlightly guarded by a ſmall detachment which had been left for that purpoſe. Sylla being informed of their intention, with haſty marches advanced to the city, and found the enemy already in poſſeſſion of the ſuburbs, and preparing to force the gates.

It was about four in the afternoon when he arrived, after a long march. Some of his officers propoſed, that the troops, being fatigued, ſhould have a little time to repoſe themſelves; and that, for this purpoſe, they ſhould remain on the ramparts until the following day. Sylla, however, propoſing, by his unexpected preſence, and by coming to action at an unuſual hour, to ſurpriſe the enemy, gave orders for an immediate attack. The event for ſome time was doubtful; the wing that was led by himſelf gave way, or was forced from its ground; but the other wing under Craſſus had

had a better fortune, put the enemy to flight, and drove them to Antemnæ.

The action, though thus various in the different parts of it, became, in the event, completely decisive. Eighty thousand of the Marian party were killed in their flight, and eight thousand taken. Carbo, in despair of the cause, fled into Sicily. The troops that were blocked up in Præneste, having no longer any hopes of relief, surrendered themselves, and the whole party was dispersed or cut off. Marius attempted to escape by the galleries of a mine, and being prevented, killed himself. His head was carried to Sylla, and by his order exposed in the market-place. "That boy," he said, "should have learnt to row before he attempted to steer!"

Sylla being now master of the republic, all men were in anxious expectation of the sequel; nor was it long before they had a specimen of the measures he was likely to pursue. About six or eight thousand of those who were supposed to be the vilest instruments of the late usurpations and murders, being taken prisoners in the war, or surprised in the city, were, by his direction, shut up in the circus, and instantly put to death.

While this horrid scene was acting, he had assembled the Senate, at a little distance, in the temple of Bellona; and as most of the members then present had either favoured, or at least tamely submitted to the late usurpation, he made them a speech on the state of the republic, in which he reproached many of them as accessary to the late disorders, and admonished them, for the future, to respect the legal government and constitution of their country. In the midst of these admonitions, the cries of those who were slaughtered in the circus reaching their ears, the assembly was greatly alarmed, and many of the members started from their seats. Sylla, with a countenance stern, but undisturbed,

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diſturbed, checked them as for an inſtance of levity. "Be compoſed," he ſaid, "and attend to "the buſineſs for which you are called. What "you hear are no more than the cries of a few "wretches, who are ſuffering the puniſhment due "to their crimes." From this interruption he reſumed his ſubject, and continued ſpeaking till the maſſacre of theſe unhappy victims was completed.

In a harangue which he afterwards delivered to the People, he ſpoke of his own ſervices to the republic, and of the miſdemeanour of others, in terms that ſtruck all who heard him with terror. "The "republic," he ſaid (if his opinion were followed), "ſhould be purged; but whether it were ſo or no, "the injuries done to himſelf and his friends ſhould "be puniſhed." He accordingly ordered military execution againſt every perſon who had been acceſſary to the late maſſacres and uſurpations; and while the ſword was yet reeking in his hands, paſſed great part of his time, as uſual, in mirth and diſſipation with men of humourous and ſingular characters. He deigned not even to inquire into the abuſes that were committed in the execution of his general plan. The perſons who were employed in it, frequently indulged their own private reſentment and their avarice in the choice of victims. Among theſe, Catiline, then a young man, had joined the victorious party; and he plunged, with a ſingular impetuoſity, into the midſt of a ſtorm which now overwhelmed a part of the city. He is ſaid, among other perſons to whom he bore an averſion, or whoſe effects he intended to ſeize, to have murdered his own brother, with ſtrange circumſtances of cruelty and horror.

While theſe dreadful murders, mixed with many examples of a juſt execution, were perpetrated, a young man, C. Metellus, had the courage to addreſs himſelf to Sylla in the Senate,

and

and desired he would make known the extent of his design, and how far these executions were to be carried? "We intercede not," he said, "for the "condemned; we only intreat that you would re-"lieve out of this dreadful state of uncertainty all "those whom in reality you mean to spare."

Sylla, without being offended at this freedom, published a list of those he had doomed to destruction, offering a reward of two talents for the head of each, and denouncing severe penalties against every person who should harbour or conceal them. Hence arose the practice of publishing lists of the persons to be massacred, which, under the odious name of *proscription*, was afterwards imitated with such fatal effects in the subsequent convulsions of the State.

The present proscription, although it promised some security to all who were not comprehended in the fatal list, opened a scene, in some respects, more dreadful than that which had been formerly acted in this massacre. The hands of servants were hired against their masters, and even those of children against their parents. The mercenary of every denomination were encouraged, by a great premium, to commit what before only the ministers of public justice thought themselves entitled to perform; and there followed a scene, in which human nature had full scope to exert all the evil of which it is susceptible, treachery, ingratitude, distrust, malice, and revenge; and would have retained no claim to our esteem or commiseration, if its character had not been redeemed by contrary instances of fidelity, generosity, and courage, displayed by those who, to preserve their friends and benefactors, or even to preserve strangers, who took refuge under their protection, hazarded all the dangers with which the proscribed themselves were threatened.

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In consequence of these measures, about five thousand persons of consideration were put to death, among whom were reckoned forty Senators, and sixteen hundred of the Equestrian order.

From these beginnings the Romans had reason to apprehend a tyranny, more sanguinary perhaps than any that ever afflicted mankind. "If in the "field you slay all who are found in arms against "you," said Catulus *(b)*, "and in the city you "slay even the unarmed; over whom do you pro-"pose to reign?"

These reproaches were by Sylla received as jests; and the freedom and ease of his manners, as well as the professions he made of regard to the commonwealth, were imputed to insensibility, and to a barbarous dissimulation, which rendered his character more odious, and the prospect of his future intentions more terrifying.

In comparing the present with the late usurpations, men recollected, that Marius, from his infancy, had been of a severe and inexorable temper; that his resentments were sanguinary, and even his frowns were deadly; but that his cruelties were the effect of real passions, and had the apology of not being perpetrated in cold blood; that every person on whom he looked with indifference was safe; and that even when he usurped the government of the State, as soon as his personal resentments were gratified, the sword in his hand became an innocent pageant, and the mere ensign or badge of his power. But that Sylla directed a massacre in the midst of composure and ease: that as a private man he had been affable and pleasant, even noted for humanity and candour *(c)*; that the change of his temper having commenced with his

(b) Probably the son of him who perished in the tyranny of Marius.
(c) Plutarch. in Sylla.

exaltation,

exaltation, there were no hopes that the ſhedding of blood could be ſtopped while he was ſuffered to retain his power. His daring ſpirit, his addreſs, his cunning, and his aſcendant over the minds of men, rendered the proſpect of a deliverance, if not deſperate, extremely remote. The republic ſeemed to be extinguiſhed for ever; and if the rage of blood, after the firſt heat of the maſſacre, appeared to abate, it was ſtayed only for want of victims, not from any principle of moderation, or ſentiment of clemency.

Such was the aſpect of affairs, and the grounds of terror conceived even by thoſe who were innocent of the late diſorders; but to thoſe who had reaſon to fear the reſentment of the victor, the proſpect was altogether deſperate. Norbanus, having fled to Rhodes, received at that place an account of the proſcriptions, and, to avoid being delivered up, killed himſelf. Carbo, being in Sicily, endeavoured to make his eſcape from thence, but was apprehended by Pompey, and killed. All the ordinary offices of State were vacated by the deſertion or death of thoſe who had filled or uſurped them.

Sylla had hitherto acted as maſter, without any other title than that of the ſword; and it was now thought neceſſary to ſupply the defect. He retired from the city, that the Senate might aſſemble with the more appearance of freedom. To name an interrex was the uſual expedient for reſtoring the conſtitution; and proceeding to elections in a legal form after the uſual time had elapſed, or when by any accident the ordinary ſucceſſion to office had failed. Valerius Flaccus was named. To him Sylla gave intimation, that, to reſettle the commonwealth, a Dictator, for an indefinite term, ſhould be appointed, and made offer of his own ſervices for this purpoſe. Theſe intimations were received as commands. Flaccus, having aſſembled the People,

BOOK II. ple, moved for an act to veſt Sylla with the title of Dictator, which gave him a diſcretionary power over the perſons, fortunes, and lives of all the citizens.

No example of this kind had taken place for a hundred and twenty years preceding this date. In the former part of this period, the jealouſy of the ariſtocracy, and in the latter part of it, the negative of the Tribunes, had always prevented a meaſure from which they ſeverally apprehended ſome danger to themſelves. It was now revived in the perſon of Sylla with unuſual ſolemnity, and ratified by an act of the People, in which they yielded up at once all their own claims to the ſovereignty, and ſubmitted to monarchy for an indefinite time. Sylla having named Valerius Flaccus for his lieutenant or commander of the horſe, returned to the city, preſenting a ſight that was then unuſual, a ſingle perſon, preceded by four-and-twenty lictors, armed with the axe and the rods; and it was not doubted that theſe enſigns of magiſtracy were to be employed, not for parade, but for ſerious execution, and were ſpeedily to be ſtained with the blood of many citizens, whom the ſword had ſpared. The Dictator, being attended likewiſe by a numerous military guard, in order that the city, in all matters in which it was not neceſſary for himſelf to interpoſe, might ſtill enjoy the benefit of the uſual forms, he directed the People to aſſemble, and to fill up the ordinary liſts of office.

Lucretius Offella, the officer who had commanded in the reduction of Præneſte, preſuming on his favour with the Dictator, and on his conſequence with the army, offered himſelf for the Conſulate. Being commanded by Sylla to deſiſt, he ſtill continued his canvas, and was, by order of the Dictator, put to death, while he ſolicited votes in the ſtreets. A tumult immediately aroſe; the Centu-

rion,

rion, who executed this order against Offella, was seized, and, attended by a great concourse of people, was carried before the Dictator. Sylla heard the complaint with great composure, told the multitude who crowded around him, that Offella had been slain by his orders, and that the Centurion must therefore be released. He then dismissed them, with this homely but menacing apologue. "A countryman at his plough, feeling himself "troubled with vermin, once and again made a "halt to pick them off his jacket; but being "molested a third time, he threw the jacket, with "all its contents, into the fire. Beware," he said, "of the fire; provoke me not a third time (*e*)." Such was the tone of a government, which, from this example, was likely to be fatal to many who had concurred in the establishment of it, as well as to those of the opposite party.

U. C. 672. M. Tullius Decula, Cn. Corn. Dolabella.

Sylla, soon after his elevation to the station of Dictator, proceeded to make his arrangements and to new-model the commonwealth. The army (*f*) appeared to have the first or preferable claim to his attention. He accordingly proposed to reward them by a gift of all the lands which had been forfeited by the adherents of the opposite party. Spoletum, Interamna, Præneste, Fluentia, Nola, Sulmo, Volaterra, together with the countries of Samnium and Lucania, were depopulated to make way for the legions who had served under himself in the reduction of his enemies. In these new inhabitants of Italy, whose prosperity depended on his safety, he had a guard to his person, and a sure support to his power. By changing their condition from that of soldiers to land-holders and peasants, he dispelled, at the same time, that

(*e*) Appian. in Bell. Civil. lib. i. Plutarch. in Sylla.
(*f*) It appears that Livy reckoned forty-seven legions, Epitom. lib. lxxxix.

dangerous

BOOK II. dangerous cloud of military power, which he himſelf or his antagoniſts had raiſed over the commonwealth, and provided for the permanency of any reformations he was to introduce into the civil eſtabliſhment. The troops, from ſoldiers of fortune, became proprietors of land, and intereſted in the preſervation of peace. In this manner, whatever may have been his intention in this arbitrary act of power, ſo cruel to the innocent ſufferers, if there were any ſuch, the meaſure had an immediate tendency to terminate the public confuſion. Its future conſequences, in pointing out to new armies, and to their ambitious leaders, a way to ſupplant their fellow-citizens in their property, and to practiſe uſurpations more permanent than that of Sylla, were probably not then foreſeen.

The next act of the Dictator appears more intirely calculated for the ſecurity of his own perſon. A body of ten thouſand men, lately the property of perſons involved in the ruin of the vanquiſhed party, having their freedom and the right of citizens conferred on them, were enrolled promiſcuouſly in all the Tribes; and as the enfranchiſed ſlave took the name of the perſon from whom he received his freedom, theſe new citizens became an acceſſion to the family of the Cornelii, and in every tumult were likely to be the ſure partizans of Sylla, and the abettors of his power. They had received a freedom which was connected with the permanency of his government, and foreſaw, that, if the leaders of the oppoſite party, in whoſe houſes they had ſerved, ſhould be reſtored, they themſelves muſt return into the condition of ſlaves; and they accordingly became an additional ſecurity to the government which their patron was about to eſtabliſh.

So

CHAP. VII.

So far Sylla seemed to intend the security of his own person, and the stability of his government; but in all his subsequent institutions, he had a view to restore the aristocracy in its legislative and judicative capacity, to provide a proper supply of officers for conducting the accumulated affairs of the commonwealth, to furnish hands for every department, and to guard against the growing depravity of the times, by extending and securing the execution of the laws. He began with filling up the rolls of the Senate which had been greatly reduced by the war, and by the sanguinary policy of the parties who had prevailed in their turns. He augmented the number of this body to five hundred; taking the new members from the Equestrian order, but leaving the choice of them to the People.

Lex de Judiciis.

The legislative power of the Senate, and the judicative power of its members were restored. The law that was provided for the last of these purposes consisted of different clauses. By the first clause it was enacted, that none but Senators, or those who were intitled to give their opinion in the Senate (*g*), should be put upon any jury or list of the judges (*h*). By the second, that, of the judges so selected, the parties should not be allowed to challenge or reject above three.

By a third clause it was provided, that judgment, in trials at law, should be given either by ballot, or openly, at the option of the defendant; and by a separate regulation, that the nomination of officers to command in the provinces, with the title of Proconsul, should be committed to the Senate.

(*g*) All the officers of State, even before they were put upon the rolls, were intitled to speak in the Senate.
(*h*) Tacit. Anal. lib. xi. Cic. pro Cliento.

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During the late tribunitian uſurpation, the whole legiſlative and executive power had, under pretence of veſting thoſe prerogatives in the aſſembly of the Tribes, been ſeized by the Tribunes. But Sylla reſtored the antient form of aſſembling the People by Centuries, and reduced the Tribunes to their defenſive privilege of interpoſing by a negative againſt any act of oppreſſion; and he deprived them of their pretended right to propoſe laws, or to harangue the People. He moreover added, that none but Senators could be elected into the office of Tribune; and, to the end that no perſon of a factious ambition might chuſe this ſtation, he procured it to be enacted, that no one who had borne the office of Tribune could afterwards be promoted into any other rank of the magiſtracy.

With reſpect to the offices of State, this new founder of the commonwealth revived the obſolete law which prohibited the re-election of any perſon into the Conſulate, till after an interval of ten years; and enacted, that none could be elected Conſul till after he had been Quæſtor, Ædile, and Prætor. He augmented the number of Prætors from ſix to eight; that of Quæſtors to twenty; and, to guard againſt the diſorders which had recently afflicted the republic, declared it to be treaſon for any Roman officer, without the authority of the Senate and People, to go beyond the limits of his province, whether with or without an army, to make war, or to invade any foreign nation whatever.

He repealed the law of Domitius relating to the election of prieſts, and reſtored to the college the intire choice of their own members.

He made ſeveral additions to the criminal law, by ſtatutes againſt ſubornation, forgery, wilful fire,

ture, poisoning, rape, assault, extortion, and forcibly entering the house of a citizen; and a statute making it penal to be found with deadly weapons of any sort. To all these he added a sumptuary law, of which the tenor is not precisely known; but it appears to have regulated the expence at ordinary (*h*) meals and at funerals, and to have likewise settled the price of provisions. CHAP. VII.

These laws were promulgated at certain intervals, and intermixed with the measures which were taken to restore the peace of the empire. In order to finish the remains of the civil war, Pompey had been sent into Sicily and Africa, and C. Annius Luscus into Spain. In this province, Sertorius had taken arms for the Marian faction; but being attacked by the forces of Sylla, and ill supported at first by the Spaniards, he fled into Africa. From thence, hearing that the Lusitanians were disposed to take arms against the reigning party at Rome, he repassed the sea, put himself at their head, and in this situation was able, for some years, to find occupation for the arms of the republic, and for its most experienced generals.

Soon after the departure of Sylla from Asia, Murena whom he had left to command in that province, found a pretence to renew the war with Mithridates; and, having ventured to pass the Halys, was defeated by that prince, and afterwards arraigned as having infringed the late treaty of peace. Sylla listened to this accusation, disapproved the conduct of Murena, and sent first A. Gabinius, and afterwards Minucius Thermus, to supersede him in the province.

Mean time Sylla himself exhibited a splendid triumph on account of his victories in Asia and Greece. The procession lasted two days. On the first, he deposited in the treasury fifteen thousand

(*h*) Gellius, lib. ii. c. 24

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pondo of gold (*i*), and an hundred and fifteen thousand pondo of silver (*k*); on the second day, thirteen thousand pondo of gold (*l*), and seven thousand pondo of silver (*m*). There was nothing that had any reference to his victory in the civil war, except a numerous train of Senators, and other citizens of distinction, who, having resorted to his camp for protection, had been restored by him to their estates and their dignities, and now followed his chariot, calling him Father, and the deliverer of his Country.

U. C. 673. L. Corn. Sylla, Q. Cæcil. Metell. Pius.

Upon the return of the elections, Sylla was again chosen Consul, together with Q. Cæcilius Metellus. The latter was destined, at the expiration of his office, to command against Sertorius in Spain. Sylla himself still retained the Dictatorial power, and was employed in promulgating some of the acts of which the chief have been mentioned.

Pompey having, in the preceding year, by the death of Carbo, and the dispersion of his party, finished the remains of the civil war in Sicily, was now ordered by the Senate to transport his army into Africa. There Domitius, a leader of the opposite faction, had erected his standard, assembled some remains of the vanquished party, and received all the fugitives who crowded for refuge to his camp. Pompey accordingly departed from Sicily, leaving the command of that island to Memmius, and embarked his army, consisting of six legions, in two divisions; one landed at Utica, the other in the bay of Carthage. Having come to an engagement with Domitius, who had been joined by Jarbas, an African prince, he obtained a complete victory over their united forces,

(*i*) Reckoning the pondo at ten ounces, and 4 l. an ounce, this will make about 60,000 l.

(*k*) About 287,500 l.

(*l*) About 520,000 l.

(*m*) About 140,000 l. Plin. lib. xxxiii. initio.

and

and afterwards penetrated, without any reſiſtance, into the kingdom of Numidia, which though dependant on the Romans, had not yet been reduced to the form of a province.

The war being ended in this quarter, Sylla thought proper to ſuperſede Pompey in the province, and ordered him to diſband his army, reſerving only one legion, with which he was to wait for his ſucceſſor. The troops were greatly incenſed at this order; and, thinking themſelves equally entitled to ſettlements with the legions who were lately provided for in Italy, refuſed to lay down their arms. They earneſtly intreated their general to embark for Rome, where they promiſed to make him maſter of the government. This young man, with a moderation which he continued to ſupport in the height of his ambition, withſtood the temptation, and declared to the army, that, if they perſiſted in their purpoſe, he muſt certainly die by his own hands; that he would not do violence to the government of his country, nor be the object or pretence of a civil war. If in reality he had encouraged this mutiny, it was only that he might thus have the honour of reclaiming the ſoldiers, and of rejecting their offer. The ambition of this ſingular perſon, as will appear from many paſſages of his life, led him to aim at conſideration more than power.

While Pompey was endeavouring to bring the troops to their duty, a report was carried to Rome, that he had actually revolted, and was preparing with his army, to make a deſcent upon Italy. "It "appears to be my fate," ſaid Sylla, "in my old "age, to fight with boys;" and he was about to recal the veterans to his ſtandard, when the truth was diſcovered, and the part which Pompey had acted was properly repreſented. The merit of this young man on that occaſion was the greater, that he himſelf was unwilling to diſband the army before

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fore they ſhould return into Italy to attend a triumph, which he hoped to obtain; and that the reſolution he took to comply with his orders, proceeded from reſpect to the Senate, and the authority of the State.

Sylla, won by the behaviour of Pompey on this occaſion, was inclined to diſpenſe with his former commands, and accordingly moved the aſſembly of the People, that the legions ſerving in Africa might return into Italy.

This motion was oppoſed by C. Herennius, Tribune of the People, who ventured to employ the prerogative of his office, however impaired, againſt the power of the Dictator. But Sylla perſiſted; obtained a law to authoriſe Pompey to enter with his army into Italy; and when he drew near the city, went forth with a numerous body of the Senate to receive him. On this occaſion, it is ſaid, that, by calling him the Great Pompey, Sylla fixed a deſignation upon him, which, in the Roman way of diſtinguiſhing perſons by nick-names, whether of contempt or reſpect, continued to furniſh him with a title for life. The times were wretched when armies ſtated themſelves in the commonwealth as the partizans of their leader, and when the leader, by not betraying his country, was ſuppoſed to perform a great action.

Pompey, upon this occaſion, laid claim to a triumph. Sylla at firſt oppoſed it as being contrary to the rule and order of the commonwealth, which reſerved this honour for perſons who had attained to the rank of Conſul or Prætor; but he afterwards complied, being ſtruck, it is ſaid, with a mutinous ſaying of this aſpiring young man, bidding him recollect, that there were more perſons diſpoſed to worſhip the riſing than the ſetting ſun.

In the triumph which Pompey accordingly obtained, he meant to have entered the city on a carriage

carriage drawn by elephants; but these animals could not pass abreast through the gates. His donation to the troops falling short of their expectation, and they having murmured, and even threatened to mutiny, he said, the fear of losing his triumph should not affect him; that he would instantly disband the legions, rather than comply with their unreasonable demands. This check, given to the presumption of the army by an officer so young and so aspiring, gave a general satisfaction. P. Servilius, a Senator of advanced age, said, upon this occasion, "That the young man "had at last deserved his triumph and his title." CHAP. VII.

Pompey, by his vanity in demanding a triumph contrary to the established order of the commonwealth, had impaired the lustre of his former actions; by this last act of magnanimity, in restraining the insolence of the troops, he forfeited the affections of the army; and in both these circumstances together, gave a complete specimen and image of his whole life. With too much respect for the republic to employ violent means for its ruin, he was possessed by a vanity and a jealousy of his own personal consideration, which, in detail, perpetually led him to undermine its foundations.

Upon the return of the elections, Sylla was again destined for one of the Consuls; but he declined this piece of flattery, and directed the choice to fall on P. Servilius and Appius Claudius. Soon after these magistrates entered on the discharge of their trust; the dictator appeared, as usual, in the Forum, attended by twenty-four lictors: but, instead of proceeding to any exercise of his power, made a formal resignation of it, dismissed his retinue, and, having declared to the People, that, if any one had any matter of charge against him, he was ready to answer it, continued to walk in the streets in the character of a private man, U. C. 674. P. Servilius, Ap. Claudius

BOOK II. man, and afterwards retired to his villa near Cumæ, where he exercifed himfelf in hunting *(n)*, and other country amufements.

This refignation throws a new light on the character of Sylla, and leads to a favourable conftruction of fome of the moft exceptionable parts of his conduct. When, with the help of the comment it affords, we look back to the eftablifhments he made while in power, they appear not to be the acts of a determined ufurper, but to be fitted for a republican government, and for the reftoration of that order which the violence and corruption of the times had fufpended.

That he was actuated by a violent refentment of perfonal wrongs, cannot be queftioned; but it is likewife evident, that he felt on proper occafions for the honour and prefervation of his country, in the nobleft fenfe of thefe words. In his firft attack of the city with a military force, his actions fhowed, that he meant to refcue the republic from the ufurpations of Marius, not to ufurp the government himfelf. When he returned into Italy from the Mithridatic war, the ftate of parties already engaged in hoftilities, and the violence done to the republic by thofe who pretended to govern it, will abundantly juftify his having had recourfe to arms. For the maffacre which followed, it may be fhocking to fuppofe that the evils of human life can require fuch a remedy: but the cafe was fingular, expofed to diforders which required violent remedies, beyond what is known in the hiftory of mankind; a populous city, the capital of a large country, whofe inhabitants ftill pretended to act in a collective body, of whom every member would be a mafter, none would be a fubject, become the joint fovereigns of many provinces, ready to fpurn at all the inftitutions which were provided for the

(*n*) Appian. Bell. Civil. lib. i.

purpofes